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NEW DELHI, SATURDAY, JUNE 11, 1994/JYAISTHA 21, 1916

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government
of India (other than the Ministry of Defence)

कार्मिक, लोक शिकायत और पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)
नई दिल्ली, 12 मई, 1994

अपराध (i) से सम्बन्धित अथवा संबंधित अन्य अपराध (i),
प्रयत्नों, दुष्प्रेरणों तथा षडयंत्र के अन्वेषण के लिए सम्पूर्ण
असम राज्य पर करती है।

[सं. 228/51/93-ग. वी. डी.-II]

आर. एम. बिष्ट, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 12th May, 1994

का. आ. 1301.—केन्द्रीय सरकार एतद्वारा दिल्ली
विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधि-
नियम सं. 25) की धारा 6 के साथ पठित धारा 5 की
उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए असम
राज्य सरकार, पोलीटिकल (ए) विभाग डिम्पुर के पत्र सं.
पीएलए (V)/158/92/91, दिनांक 3-5-1994 द्वारा
प्राप्त असम राज्य सरकार की सहमति से दिल्ली विशेष
पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का
विस्तार, भारतीय दंड संहिता की धारा 409, 468, 420,
120-बी और भ्रष्टाचार निवारण अधिनियम, 1988 की
धारा 13(2) के अन्वये अपराधों तथा ए. सी. बी. असम में
रजिस्टर्ड मामलों एक. आई. आर. सं. 4/93, 5/93
6/93, 7/93, 8/93, 9/93, 10/93, 11/93, 12/93,
14/93, 16/93 और 2/94 के संबंध में उन्हीं तथ्यों से
उद्भूत जैसे ही संयंत्रहार के अनुक्रम में किए गए उक्त

S.O. 1301.—In exercise of the powers conferred by Sub-
Section (i) of Section 5 read with section 6 of the Delhi
Special Police Establishment Act, 1946 (Act No. 25 of 1946),
the Central Government, with the consent of the State Gov-
ernment of Assam, Political (A), Department Dispur accorded
vide their No. PLA(V)/158/92/91 dated 3-5-1994 hereby ex-
tends the powers and jurisdiction of the members of the Delhi
Special Police Establishment to the whole of the State of
Assam for investigation of offence(s) under sections 409, 468,
420, 120B IPC and section 13(2) of the Prevention of Corrup-
tion Act, 1988 and for any other offences(s), attempts, abet-
ments and conspiracy in relation to or in connection with the

offence(s) committed in the course of the same transaction arising out of the same facts in regard to cases FIR Nos. 4/93, 5/93, 6/93, 7/93, 8/93, 9/93, 10/93, 11/93, 12/93, 13/93, 14/93, 15/93 and 16/93 registered at ACB, Assam.

[No. 228/51/93-AVD-II]

R. S. BISHT, Under Secy.

आदेश

नई दिल्ली, 17 मई, 1994

का. आ. 1302.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आन्ध्र प्रदेश राज्य सरकार की सहमति से, जो गृह (एस. सी.-ए.) विभाग जी. ओ. आर. टी. सं. 2325, तारीख 7-8-91 द्वारा प्रदान की गई थी, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार, भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की सुसंगत धाराओं के अधीन दण्डनीय अपराधों के अन्वेषण के लिए जो केन्द्रीय जांच ब्यूरो, हैदराबाद द्वारा रजिस्ट्रीकृत निम्नलिखित मामलों में, केन्द्रीय सरकार उपक्रम के कर्मचारियों और प्राइवेट व्यक्तियों द्वारा किए गए अभिकथित हैं, सम्पूर्ण आन्ध्र प्रदेश राज्य पर करती है :—

एस. आई. आर. सं.
और विधि की धाराएं

अभियुक्त का नाम

1	2
भारतीय दंड संहिता की धारा 468 के साथ पठित भारतीय दंड संहिता की धारा 120ब, 420, 467, 471 के अधीन एस. आई. आर. सं. 17/91 हैदराबाद तारीख 13-3-1991	1. मैसर्स मारुथी मार्केटिंग, 3-6-147/2, हिमायनगर, हैदराबाद-29 2. श्री बी. एस. देशपांडे, 3-6-147/2, हिमायनगर, हैदराबाद-29 3. श्री एम. बी. बी. रेड्डी, सुपुत्र श्री एम. विष्णुवर्धन रेड्डी, 3-4-74/2, लिंगमपल्ली, कचीगुड़ा, हैदराबाद-20 4. श्री मनोज खण्डेवाल, 1-1-380/8, अशोक नगर, हैदराबाद-20 5. श्री बी. एन. रतन, पूर्व प्रबन्धक, इलाहाबाद बैंक, हिमायनगर, हैदराबाद, इस समय अलीपुर कलकत्ता में।

1

2

6. श्री जी. बी. रमणराव, पूर्व प्रबन्धक, इलाहाबाद बैंक, हिमायनगर शाखा, हैदराबाद (अब त्यागपत्र प्रस्तुत किया है और वह मुम्बई स्थानांतरित होने के पश्चात् कार्यालय में उपस्थित नहीं हो रहे हैं)।

[सं. 228/13/94-ए. बी. डी. (II)]

आर. एस. बिष्ट, अवर सचिव

ORDER

New Delhi, the 17th May, 1994.

S.O. 1302 :—In exercise of the powers conferred by sub-Section (1) of section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government, with the consent of the State Government of Andhra Pradesh accorded vide Home (SC-A) Department G.O. Rt. No. 2325 dated 7-8-1991 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of offences punishable under relevant sections of Indian Penal Code, 1860 (Act No. 45 of 1860) alleged to have been committed by the employees of the Central Government Undertaking and private persons in following case registered by the Central Bureau of Investigation, Hyderabad:—

SIR Nos. Secs. of Laws	Name of the accused
SIR No. 17/91-Hyderabad dated 13-3-1991 under sections 120-B, 420, 467, 471 Indian Penal Code read with 468 Indian Penal Code.	1. M/s. Maruthi Marketing, 3-6-147/2, Himayathnagar, Hyderabad-29. 2. Sri V.S. Desh Pande, 3-6-147/2, Himayathnagar, Hyderabad-29. 3. Sri M.V.V.Reddy, S/o Sri M. Vishnuvardana Reddy, 3-4-74/2, Lingampalli, Kachiguda, Hyd. -20. 4. Sri Manoj Khandewal, 1-1-380/8, Ashok Nagar, Hyderabad-20 5. Sri B.N. Ratan, Previously Manager, Allahabad Bank, Himayathnagar, Hyderabad now at Alipur-Calcutta. 6. Sri D.V. Ramana Rao, Previously Manager, Allahabad Bank, Himayathnagar Branch, Hyderabad (now submitted resignation and not attending office after he was transferred to Bombay).

[No. 228/13/94-AVD-II]

R.S. BISHT, Under Secy.

आदेश

New Delhi, the 17th May, 1994

नई दिल्ली, 17 मई, 1994

का. आ. 1303.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आन्ध्र प्रदेश राज्य सरकार की सहमति से, जो गृह (एच. सी. ए.)/विभाग जी. ओ. आर. टी. सं. 3218 तारीख 30-9-92 और संशोधन जी. ओ. आर. टी. सं. 3631, तारीख 21-11-1992 द्वारा प्रदान की गई थी, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार, भारतीय दंड संहिता 1860 (1860 का 45) की धारा 120ख, 420, 477 का और भ्रष्टाचार निवारण अधिनियम, 1947 (1947 का 2) की धारा 5(1)(घ) के साथ पठित धारा 5(2) के अधीन दंडनीय अपराधों और उनके अधिष्ठायी अपराधों के अन्वेषण के लिए, जो केन्द्रीय जांच ब्यूरो, विशाखापट्टनम द्वारा रजिस्ट्रीकृत मामला संख्या आर. सी. 11(ए)/88-बी. एस. पी. तारीख 31-5-1988 में निम्नलिखित व्यक्तियों द्वारा किए गए अभिकथित हैं, संपूर्ण आन्ध्र प्रदेश राज्य पर करती है:—यह तारीख 7-8-1990 की पूर्व अधिसूचना के उपांतरित संशोधन के साथ जारी की जाती है।

संदिग्ध अभियुक्त के नाम

1. श्री जे. नगेश्वर राव, सुपुत्र जे. आर. के. राव, भूतपूर्व सहायक महाप्रबंधक, सिण्डीकेट बैंक, विजयवाड़ा।
2. श्री पी. त्रिवेणी राव, सुपुत्र मुक्ता राव, भूतपूर्व उप प्रभागीय बंधक, सिण्डीकेट बैंक, विजयवाड़ा।
3. श्री बी. संभाशिव राव, सुपुत्र बी. कांटीरतनम्, भूतपूर्व प्रबंधक, सिण्डीकेट बैंक, ब्रोडिपेट, गुंटूर।
4. श्री डी. बी. एस. नारायण मूर्ति, सुपुत्र डी. बी. एम. रामाचन्द्र मूर्ति, लिपिक सिण्डीकेट बैंक एबीड्स, हैदराबाद।
5. डा. डी. बी. एस. प्रकाश राव, सुपुत्र डी. बी. एच. आर. मूर्ति, अन्ना नगर, मद्रास (प्राइवेट व्यक्ति)।
6. श्री एन. चिन्दानन्द राव, सुपुत्र रोसैया, प्रोपराइटर मैसर्स पदमावती इण्टर प्राइजेज 3/6, प्राथुरीवरी थोटा गुंटूर (प्राइवेट व्यक्ति)।
7. श्री कोटेश्वरा राव, अध्यक्ष, गुंटूर म्युनिसिपल मैनीएल एम्प्लॉयज को-ऑपरेटिव क्रेडिट सोसाइटी, गुंटूर (प्राइवेट व्यक्ति)।
8. श्री डी. नगेश्वर राव, सचिव, गुंटूर म्युनिसिपल मैनीएल एम्प्लॉयज को-ऑपरेटिव सोसाइटी, गुंटूर (म्युनिसिपल कर्मचारी)।

[सं. 228/12/94-ए. बी. डी.-II]

आर. एस. बिष्ट, अवर सचिव

S.O. 1303.—In exercise of the powers conferred by section (1) of Section 5 read with Section 6 of the De Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government with the consent of the State Government of Andhra Pradesh accorded vide Home (HC-A Department G.O. Rt.No. 3218 dated 30-9-1992 and amendment G.O. Rt. 3631 dated 21-11-1992 hereby extends the power and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of the offences punishable under Section 120B, 420, 477-A, of the Indian Penal Code 1860 (45 of 1860) and Section 5(2) read with 5(1)(d) of the Prevention of Corruption Act, 1947 (2 of 1947) and substantive offences there alleged to have been committed by the following persons:—
case No. RC. 11(A)/88-VSP. dated 31-5-1988 registered at the Central Bureau of Investigation, Visakhapatnam :—

It is issued with modification amendment of previous notification dated 7-8-1990.

NAMES OF SUSPECTED ACCUSED

1. S/Shri J. Nageswara Rao, S/o J. R. K. Rao, former AGM, Syndicate Bank, Vijayawada.
2. S/Shri P. Triveni Rao, S/o Subba Rao, formerly Divisional Manager, Syndicate Bank, Vijayawada.
3. S/Shri V. Sambasiva Rao, S/o V. Kotiratnam former Manager, Syndicate Bank, Brodipet, Guntur.
4. S/Shri D. B. S. Narayana Murthy, S/o D. V. Ramachandra Murthy, Clerk, Syndicate Bank, Abid Hyderabad.
5. Dr. D. V. S. Prakasa Rao S/o D. V. S. R. Murthy Anna Nagar, Madras (Private person).
6. S/Shri N. Chindananda Rao, S/o Rosaiah, Proprietor M/s. Padmavathi Enterprises, 3/6, Pathurivala Thota, Guntur (Private person).
7. S/Shri V. Koteswara Rao, President, Guntur Municipal Menial Employee Co-operative Credit Society Guntur (Private person).
8. S/Shri D. Nageswara Rao, Secretary, Guntur Municipal Menial Employees Co-operative Credit Society Guntur (Municipal Employee).

[No. 228/12/94-AVD-II]
R. S. BISHT, Under Secy

नई दिल्ली, 17 मई, 1994

का. आ. 1304.—केन्द्रीय सरकार दंड प्रक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा दिल्ली विशेष पुलिस स्थापना ए. सी. यू-6 शाखा के निम्नलिखित नियमित मामलों की दिल्ली के ट्रायल तथा अपीलीय न्यायालय में कार्यवाहियों के संचालन के प्रयोजन के लिए श्री वाई. कांहाल, एडवोकेट की विशेष लोक अभियोजक के रूप में नियुक्त करती है।

1. आर. सी. 1/82 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 23-2-82 धारा 120-बी आई. पी. सी. तथा उपधारा 420, 468, 471 तथा धारा 511 भारतीय दंड संहिता जो अतिरिक्त न्यायाधीश दिल्ली की अदालत में लम्बित है।
2. आर. सी. 1/83 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 17-2-83 धारा 120-बी तथा

धारा 420, 467, 468 और 471 भारतीय दंड संहिता।

3. आर. सी. 1/84 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 7-3-84 धारा 120-बी तथा धारा 420, 467, 468 तथा 471 भारतीय दंड संहिता। आर. सी. 1/83 एवं आर. सी. 1/84 में संयुक्त चार्जशीट सी. सी. एम. एम. दिल्ली के न्यायालय में लम्बित है।
4. आर. सी. 3/85 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 27-11-85 धारा 120-बी 420, 468, 471 भारतीय दंड संहिता जो ए. सी. एम. एम. दिल्ली के न्यायालय में लम्बित है।
5. आर. सी. 1/86 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 22-1-86 धारा 5(2) धारा 5(1)(ई) के पी. सी. एक्ट 1947 विशेष न्यायाधीश दिल्ली के न्यायालय में लम्बित है।
6. आर. सी. 2/86 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 18-3-86 धारा 5 (2) धारा 5(1)(ई) के पी. सी. एक्ट 1947 विशेष न्यायाधीश दिल्ली के न्यायालय में लम्बित है।
7. आर. सी. 1/92 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 5-6-92 धारा 13(2) धारा 13(1)(ई) के पी. सी. एक्ट 1988, जो विशेष न्यायाधीश दिल्ली के न्यायालय में लम्बित है।
8. आर. सी. 2(ए)/92 ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 5-6-92 धारा 120-बी, 420, 467, 468 और 471 भारतीय दंड संहिता तथा धारा 13(2), धारा 13(1)(डी) के पी. सी. एक्ट, 1988 जो विशेष न्यायाधीश दिल्ली के न्यायालय में लम्बित है।
9. आर. सी. 3(ए)/92-ए. सी. यू.-6 सी. बी. आई. नई दिल्ली दिनांक 30-9-92 धारा 120-बी 420, 467, 468 और 471 भारतीय दंड संहिता तथा 5(2) धारा 5(1)(ई) के पी. सी. एक्ट 1947 जो विशेष न्यायाधीश दिल्ली के न्यायालय में लम्बित है।

[सं. 225/5/94-ए. सी. डी.-II]

आर. एस. बिष्ट, अवर सचिव

New Delhi, the 17th May, 1994

S.O. 1304 :—In exercise of the powers conferred by Sub-section (8) of section 24 of the code of Criminal Procedure 1973 (2 of 1974), the Central Government hereby appoints Shri Y. Kahol, Advocate as Special Public Prosecutor for conducting the prosecution of the following cases of ACU-VI

branch of the Delhi Special Police Establishment, CBI, New Delhi in the trial Courts and Appellate Courts at Delhi.

1. Case No. RC.1/82-ACU(VI), CBI, New Delhi dated 23-2-82 U/s, 120B IPC and sections 420, 468, 471 r/w. section 511 IPC pending in the Court of Addl. Sessions, Judge, Delhi.
2. Case No. RC. 1/83-ACU(VI), CBI New Delhi dated 17-2-83 U/s. 120B IPC and Section 420, 467 468, 471 IPC
3. Case No. RC.1/84-ACU(VI), CBI New Delhi dated 7-3-1984 U/s. 120B IPC and Section 420, 467 468 and 471 IPC
4. Case No. RC 3/85-ACU(VI) CBI New Delhi dated 27-11-85 U/s. 120B, 420, 468, 471 IPC pending in the Court of ACMM, Delhi.
5. Case No. RC. 1/86-ACU-VI, CBI, New Delhi dated 22-1-86 U/s. 5(2) r/w. Section 5(1)(e) of the P.V. Act 1947 pending in the Court of Special Judge, Delhi.
6. Case No. RC. 2/86-ACU(VI), CBI, New Delhi dated 18-3-86 U/s. 5(2) r/w. Section 5(1)(e) of the P.C. Act, 1947 pending in the Court of Special Judge, Delhi.
7. Case No. RC.1(A)/92-ACU-VI, CBI, New Delhi dated 5/6/92 U/s. 13(2) e) of the PC Act 1988 pending in the Court of Special Judge, Delhi.
8. Case No. RC. 2(A)/92-ACU-VI, CBI, New Delhi dated 5/6/92 U/s. 120B IPC r/w. Section 420, 467 468 & 471 IPC and Section 13(2) r/w. Section 13(1)(d) of the PC Act, 1988. pending in the Court of Special Judge, Delhi.
9. Case No. RC. 3(A)/92, ACU-VI, CBI, New Delhi dated 30/9/92 U/s. 120B IPC r/w. Sections 420, 467, 468 & 471 IPC and Section 5(2) r/w. Section 5(1) (d) of the PC Act, 1947 pending in the Court of Special Judge, Delhi.

Combined Charge sheets pending in the Court of CMM Delhi.

[No. 225/5/94-AVD-II]
R.S. BISHT, Under Secy.

आदेश

नई दिल्ली, 18 मई, 1994

का. भा. 1305 :—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए, आंध्र प्रदेश राज्य सरकार की सहमति से जो गृह (एस. सी. ए.)/विभाग जी. ओ. आर. टी. सं. 2166, तारीख 2 अगस्त, 1993 द्वारा दी गई थी केन्द्रीय जांच ब्यूरो की विशेष अपराध शाखा, मद्रास द्वारा रजिस्ट्रीकृत आर. सी. 13 (एस)/92, 14 (एस)/92, 16 (एस)/92, 17 (एस)/92 और 18 (एस)/92 के मामलों की बाबत विधि की सुसंगत धाराओं के अधीन अर्थात् भारतीय दंड संहिता की धारा 420 के साथ पठित 120वें धारा 420, धारा 468 और धारा 468 के साथ पठित धारा 471 और आयात और निर्यात (नियंत्रण) अधिनियम, 1955 की धारा 10(घ) के साथ पठित आयात और निर्यात (नियंत्रण) अधिनियम, 1947 की धारा 5 के अधीन दंडनीय अपराधों और उक्त अपराध (अपराधों) और वैसे ही या उन्हीं या उनसे संबंधित तथ्यों से उद्भूत होने वाले व्यवहार के अनुक्रम में किए गए किसी (किन्हीं) अन्य अपराध (अपराधों) के संबंध में या उनसे संसक्त प्रयत्नों, दुष्प्रेरणों और पड़घातों के अन्वेषण के लिए, जो निम्नलिखित प्राइवेट व्यक्तियों द्वारा किए गए अभिकथित हैं, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण आंध्र प्रदेश राज्य पर करती है:—

- (1) के. एम. के. नायडू उर्फ मलकानदियाह नायडू कावलीटाउन जिला नेल्लोर, आन्ध्र प्रदेश और अन्य [आर. सी. 14 (एस)/92, 15 (एस)/92, 17 (एस)/92 और 18 (एस)/92]।
- (2) श्रीमती पदमा उर्फ लक्ष्मी उर्फ संतीस पत्नी साई-कुमार, जिला महबूब नगर, आन्ध्र प्रदेश और अन्य [आर. सी. 13 (एस.)/92]।
- (3) मैसर्स हरीहर गिनिंग और प्रेसिंग प्राइवेट लि. जिला महबूब नगर और अन्य [आर. सी. 13 (एस.)/92]।
- (4) मुरली कृष्ण म. नं. 10-15-44 एच. शांति नगर, कावली जिला नेल्लोर आन्ध्र प्रदेश और अन्य [आर. सी. 15 (एस)/92, 17 (एस.)/92 और 18 (एस.)/92]।

[सं. 228/17/94-ए. वी. डी. (II)]
आर. एस. बिष्ट, अवसर सचिव

ORDER

New Delhi, the 18th May, 1994

S.O. 1305.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government, with the consent of the State Government, of Andhra Pradesh accorded vide Home (SC-A)/Department G.O. Rt. No. 2166 dated 2-8-1993, hereby extends the powers and jurisdiction of the members of the Delhi

Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of offences punishable under relevant Sections of Law viz. 120B read with 420, 468, 471 read with 468 IPC and Section 5 of Imports and Exports (Control) Act, 1947 read with 10(D) of Imports and Exports (Control) Order, 1955 in respect of cases in RC. 13(S)/92, 14(S)/92, 15(S)/92, 17(S)/92 and 18(S)/92 registered by CBI Special Crime Branch, Madras and attempts, abetments and conspiracies in relation to or in connection with said offence(s) and any other offence(s) committed in the course of same transaction and/or arising out of the same or related facts alleged to have been committed by the following private persons:—

1. Shri K.M.K. Naidu @ Malakandiah Naidu, Kavali Town, Nellore Dist. A.P. and others [RC. 14(S)/92, 15(S)/92, 17(S)/92 and 18(S)/92].
2. Smt. Padama @ Lakshmi @ Santhis W/o Sai Kumar, Mahboobnagar Dist. A.P., and others [RC 13(S)/92]
3. M/s. Harihara Ginning and Pressing Pvt. Ltd., Mahaboonagar Dist. and others [RC. 13(S)/92].
4. Shri Muralikrishna, H. No. 10-15-44, H. Shanifi Nagar, Kavali, Nellore Dist. A.P. and others [RC. 15(S)/92, 17(S)/92, and 18(S)/92].

R. S. BISHT, Under Secy.
[No. 228/17/94-AVD.II]

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 11 मई, 1994

(आयकर)

का. आ. 1306 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के उपखंड (23-ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा कम्पनी अधिनियम, 1956 की धारा 4क की उपधारा (2) के अधीन अधिसूचित सरकारी वित्तीय संस्था पावर फाइनैस कारपोरेशन लिमिटेड द्वारा स्थापित "एक्स-चेन्ज रिस्क एडमिनिस्ट्रेशन फण्ड" को उक्त खंड के प्रयोजनार्थ विनिर्दिष्ट करती है।

[अधिसूचना सं. 9542/फा. सं. 194/1/94—आयकर नि.-1]

शरत चन्द्र, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 11th May, 1994

(INCOME-TAX)

S.O. 1306.—In exercise of the powers conferred by sub-clause (23E) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies "Exchange Risk Administration Fund" set up by Power Finance Corporation Limited, a public financial institution notified under sub-section (2) of section 4A of the Companies Act, 1956, for the purpose of the said clause.

[Notification No. 9542/F. No. 194/1/94-ITA-I]

SHARAT CHANDRA, Under Secy.

आदेश

नई दिल्ली, 26 मई, 1994

का. आ. 1307 :—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधि-

नियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश फा. सं. 673/13/94-सी. शु.-8 दिनांक 4-2-94 को यह निदेश जारी किया था कि श्री राजेंद्र कुमार नन्दा सुपुत्र स्वर्गीय श्री भीमसेन नन्दा, वी-127 (भूतल) मालवीय नगर, नई दिल्ली को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, तिहाड़, नई दिल्ली में अभिरक्षा में रखा जाए ताकि उसे माल की तस्करी का दुष्प्रेरण करने से रोका जाये।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त दिल्ली के समक्ष हाजिर हों।

[फा. सं. 673/13/94-सी. शु.-8]

रूप चन्द, अवर सचिव

ORDER

New Delhi, the 26th May, 1994

S.O. 1307.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/13/94-Cus. VIII dated 4th February, 1994 under the said sub-section directing that Shri Rajinder Kumar Nanda S/o (Late) Shri Bhim Sen Nanda, R/o B-127 (Basement) Malviya Nagar, New Delhi be detained and kept in custody in the Central Jail Tihar, New Delhi with a view to preventing him from abetting the smuggling of goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, New Delhi within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/13/94-Cus. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 मई, 1994

का. भा. 1308 :—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1944 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/112/93-

सी. शु.-8 दिनांक 12-11-92 को यह निदेश जारी किया था कि श्री जगराज सिंह, बी-64, प्रथमतल, मिनाक्षी गार्डन, सुभाष नगर, मौड़, नई दिल्ली-110027 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार तिहाड़, नई दिल्ली में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संरक्षण के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, नई दिल्ली के समक्ष हाजिर हों।

[फा. सं. 673/112/93-सी. शु.-8]

रूप चन्द, अवर सचिव

ORDER

New Delhi, the 30th May, 1994

S.O. 1308.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/112/93-Cus. VIII dated 12th November, 1993 under the said sub-section directing that Shri Jagraj Singh, B-64, 1st Floor, Meenakshi Garden, Subhash Nagar, Maud, New Delhi-110027 be detained and kept in custody in the Central Prison, Tihar, New Delhi with a view to preventing him from indulging in activities prejudicial to the Conservation of Foreign Exchange resources in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, New Delhi within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/112/93-Cus. VIII]

ROOP CHAND, Under Secy.

केन्द्रीय उत्पाद शुल्क समाहर्तलय

नागपुर, 17 मई, 1994

का. भा. 1309 :—श्री एस. बी. खापर्डे, प्रशासनिक अधिकारी "ग्रुपबी", केन्द्रीय उत्पाद शुल्क प्रभाग-चंद्रपुर, नागपुर समाहर्तलय की निर्वतन आयु प्राप्त करने पर दिनांक 30-04-94 को अपरन्त से शासकीय सेवा से निवृत्त हुए हैं।

[फा. सं. 11(3)14/93-स्था. 1/10927]

हरजिंदर, सिंह, उप-समाहर्ता (कार्मिक एवं सतकर्ता)

CENTRAL EXCISE COLLECTORATE

Nagpur, the 18th May, 1994

S.O. 1309.—Shri S. B. Khapardey, Administrative Officer, collectorate having attained the age of Superannuation retired from Government service on 30th April, 1994 in the afternoon.

[C. No. II(3)6/91/Estt. I]

HARJINDER SINGH, Dy. Collector (P&V)

वाणिज्य मंत्रालय

नयी दिल्ली, 18 मई, 1994

का.ग्रा. 1310.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वाणिज्य मंत्रालय की अधिसूचना सं. का.ग्रा. 3975 तारीख 20-12-1965 से संलग्न अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप-1) का निर्यात से पूर्व नई दिल्ली में निरीक्षण करने के लिए 203 अग्रवाल भवन, 35-36 नेहरू प्लेस, नयी दिल्ली-110019 पर स्थित मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड जिनका रजिस्ट्रीकृत कार्यालय एबरेस्ट हाउस-सातवीं मंजिल, 46 सी, चौरंगी रोड, कलकत्ता-700071 में है, को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड निर्यात निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं प्रदान करेगा ताकि खनिज तथा अयस्क (ग्रुप-1) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके।
- (ii) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड इस अधिसूचना के अधीन अपने कृत्यों के अनुपालन में ऐसे निर्देशों द्वारा आबद्ध होगी ज निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देंगे।

[फाईल सं. 5/12/94-ई.आई.एंड ई. पी.]

कुमारी सुमा सुब्रह्मणा, निदेशक

MINISTRY OF COMMERCE

New Delhi, the 18th May, 1994

S.O. 1310.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Superintendence Company of India (Private) Limited, located at 203, Aggarwal Bhawan, 35-36 Nehru Place, New Delhi-110019, and having

their registered office at Everest House, 7th Floor, 46C, Chowringhee Road, Calcutta-700071, as an agency for inspection of Minerals and Ores (Group-I) specified in Schedule annexed to Ministry of Commerce Notification No. S.O. 3975 dated 20th December, 1965, prior to export at New Delhi subject to the following conditions, namely:—

- (i) that M/s. Superintendence Company of India (Private) Limited, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group-I (Inspection) Rules, 1965;
- (ii) that M/s. Superintendence Company of India (Private) Limited, in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/12/94 EI&FP]

KUM. SUMA SUBBANNA, Director

नयी दिल्ली, 18 मई, 1994

का.ग्रा. 1311.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वाणिज्य मंत्रालय की अधिसूचना सं. का.ग्रा. 3978 तारीख 20-12-1965 से संलग्न अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप-II) का निर्यात से पूर्व नई दिल्ली में निरीक्षण करने के लिए 203 अग्रवाल भवन, 35-36 नेहरू प्लेस, नयी दिल्ली-110019 पर स्थित मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड जिनका रजिस्ट्रीकृत कार्यालय एबरेस्ट हाउस, सातवीं मंजिल, 46 सी, चौरंगी रोड, कलकत्ता-700071 में है, को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड निर्यात निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं प्रदान करेगा ताकि खनिज तथा अयस्क (ग्रुप-II) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके।
- (ii) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड इस अधिसूचना के अधीन अपने कृत्यों के अनुपालन में ऐसे निर्देशों द्वारा आबद्ध होगी जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देंगे।

[फाईल सं. 5/12/94-ई.आई.एंड ई. पी.]

कुमारी सुमा सुब्रह्मणा, निदेशक

New Delhi, the 18th May, 1994

S.O. 1311.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Superintendence Company of India (Private) Limited, located at 203, Aggarwal Bhawan, 35-36 Nehru Place, New Delhi-110019, and having their registered office at Everest House, 7th Floor, 46C, Chowringhee Road, Calcutta-700071, as an agency for inspection of Minerals and Ores (Group-II specified in Schedule annexed to Ministry of Commerce Notification No. S.O. 3978 dated 20th December, 1965, prior to export at New Delhi, subject to the following conditions, namely:—

- (i) that M/s. Superintendence Company of India (Private) Limited, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group-II (Inspection) Rules, 1965;
- (ii) that M/s. Superintendence Company of India (Private) Limited, in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/12/94-EI&EP]

KUM. SUMA SUBBANNA, Director

नयी दिल्ली, 18 मई, 1994

* का.आ. 1312.—केन्द्र सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एल्यूमिनियम आक्साइड, ग्लोचिंग पाउडर, बोरेक्स, कास्टिक सोडा, कास्टिक पोटाश, पोटाशियम कार्बोनेट, पोटाशियम क्लोरेट, सोडियम सिलिकेट तथा सोडियम हाइड्रोसल्फेट को छोड़कर वाणिज्य मंत्रालय की अधिसूचना सं.का.आ. 1270 तारीख 25-3-1966 से संलग्न अनुसूची में विनिर्दिष्ट अकार्बनिक रसायनों का निर्यात से पूर्व नयी दिल्ली में निरीक्षण करने के लिए 203 अग्रवाल, भवन, 35-36 नेहरू प्लेस, नयी दिल्ली-110019 पर स्थित मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड जिनका रजिस्ट्रीकृत कार्यालय एवरेस्ट हाउस-सातवीं मंजिल, 46सी, चौरंगी रोड, कलकत्ता-700071 में है, को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्-द्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड निर्यात निरीक्षण परिषद् द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं प्रदान करेगा ताकि अकार्बनिक रसायनों के निर्यात (निरीक्षण) नियम, 1966 के नियम 4 के अंतर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके।
- (ii) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड इस अधिसूचना के अधीन अपने कृत्यों के अनुपालन में ऐसे निर्देशों द्वारा आवद्ध होगी जो

निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण)
समय-समय पर लिखित रूप में देंगे।

[फाईल सं. 5/12/94 ई आई एंड ई पी]

कुमारी सुमा सुब्बान्ना, निदेशक

New Delhi, the 18th May, 1994

S.O. 1312.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Superintendence Company of India (Private) Limited, located at 203, Aggarwal Bhawan, 35-36 Nehru Place, New Delhi-110019, and having their registered office at Everest House, 7th Floor, 46C, Chowringhee Road, Calcutta-700071, as an agency for inspection of Inorganic Chemicals specified in Schedule annexed to Ministry of Commerce Notification No. S.O. 1270 dated 25th March, 1966 except for Aluminium Oxide, Bleaching Powder, Borax, Caustic Soda, Caustic Potash, Potassium Carbonate, Potassium Chlorate, Sodium Silicate and Sodium Hydrosulphate, prior to export at New Delhi subject to the following conditions, namely:—

- (i) that M/s. Superintendence Company of India (Private) Limited, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Inorganic Chemicals (Inspection) Rules, 1966;
- (ii) that M/s. Superintendence Company of India (Private) Limited, in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/12/94-EI&EP]

KUM. SUMA SUBBANNA, Director

नई दिल्ली, 18 मई, 1994

का.आ. 1313.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 1197 तारीख 15-4-1966 से संलग्न उपाबंध-1 में विनिर्दिष्ट अकार्बनिक रसायनों का निर्यात से पूर्व नई दिल्ली में निरीक्षण करने के लिए 203 अग्रवाल भवन, 35-36 नेहरू प्लेस, नयी दिल्ली-110019 पर स्थित मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड जिनका रजिस्ट्रीकृत कार्यालय एवरेस्ट हाउस, सातवीं, मंजिल, 46 सी, चौरंगी रोड, कलकत्ता-700071 में है, को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए निम्न शर्तों के अधीन एतद्द्वारा अभिकरण के रूप में मान्यता देती है, अर्थात्:—

- (i) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड निर्यात निरीक्षण परिषद् द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गयी निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं प्रदान करेगा ताकि अकार्बनिक रसायनों के निर्यात (निरीक्षण) नियम, 1966 के नियम, 4 के अंतर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके।

- (ii) मैसर्स सुपरिटेण्डेंस कंपनी ऑफ इंडिया (प्रा.) लिमिटेड इस अधिसूचना के अधीन अपने कृत्यों के अनुपालन में ऐसे निर्देशों द्वारा आबद्ध होगी जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देंगे।

[फाईल सं. 5/12/94-ई आई एंड ई पी]

कुमारी सुमा सुब्बण्णा, निदेशक

New Delhi, the 18th May, 1994

S.O. 1313.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Superintendence Company of India (Private) Limited, located at 203, Aggarwal Bhawan, 35-36 Nehru Place, New Delhi-110019, and having their registered office at Everest House, 7th Floor, 46C, Chowringhee Road, Calcutta-700071, as an agency for inspection of Organic Chemicals specified in Annexure I to Ministry of Commerce Notification No. S.O. 1197 dated 15th April, 1966 prior to export at New Delhi subject to the following conditions, namely:—

- (i) that M/s. Superintendence Company of India (Private) Limited, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Organic Chemicals (Inspection) Rules, 1966;
- (ii) that M/s. Superintendence Company of India (Private) Limited, in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[File No. 5/12/94-El&EP]
KUM. SUMA SUBBANNA, Director

(विदेश व्यापार महानिदेशालय)

नई दिल्ली, 23 मई, 1994

का.आ. 1314.—मैसर्स बल्लारपुर इंडस्ट्रीज लिमिटेड; नई दिल्ली को 7,14,62,200 रु. (22,33,100 अमरीकी डालर) के लागत बीमा-भाड़ा मूल्य के लिए रु. (43,50,000 अमरीकी डालर) के निर्यात आभार सहित एक अग्रिम लाइसेंस संख्या पी/डब्ल्यू/1524302 दिनांक 10-12-1993 मंजूर किया था जो कि लाइसेंस के जारी होने की तारीख से 12 महीने की अवधि तक वैध था। अब फर्म ने अग्रिम लाइसेंस (केवल आयात के लिए सीमाशुल्क प्रयोजन प्रति) की दूसरी प्रति इस आधार पर प्रदान करने के लिए आवेदन किया है कि लाइसेंस खो गया है/गुम हो गया है। फर्म ने आवश्यक हलफनामा प्रस्तुत किया है जिसके अनुसार उक्त अग्रिम लाइसेंस को मद्रास सीमाशुल्क प्राधिकारी से पंजीकृत कराया गया था और 2,87,76,492 रु. प्रयोग में लाया गया था और लाइसेंस के महेश्वर लागत बीमा-भाड़ा मूल्य 4,26,85,707.39 रु. है। हलफनामों में इस आशय की एक घोषणा भी समाविष्टी की गई है कि यदि उक्त लाइसेंस मिल जाता है या बाद में उसका पता चल जाता है तो उसे निर्गम प्राधिकारी को लौटा दिया जाएगा।

1311 GI/94—2

2. इस बात से संतुष्ट होने पर कि केवल आयातों के लिए जारी मूल अग्रिम लाइसेंस (सीमाशुल्क प्रयोजन प्रति) खो गया है अधोहस्ताक्षरी का यह निर्देश है कि आवेदक को केवल आयात के लिए अग्रिम लाइसेंस की दूसरी प्रति (सीमाशुल्क प्रयोजन प्रति) जारी की जाए। मैं विदेश व्यापार (विकास एवं विनियमन) अधिनियम, 1992 की धारा 9 की उपधारा 4 में प्रदत्त अधिकारों का प्रयोग एतद्वारा केवल आयात के लिए मूल अग्रिम लाइसेंस (सीमाशुल्क प्रयोजन प्रति) को भी निरस्त करता हूँ।

[फा. सं. 01/82/40/864/एम-94/डीईएस-6/271]

एम. एल. भूटानी, उप महानिदेशक,
विदेश व्यापार, द्वितीय महानिदेशक, विदेश व्यापार

(Directorate General of Foreign Trade)

New Delhi, the 23rd May, 1994

S.O. 1314.—M/s. Ballarpur Industries Ltd., New Delhi were granted an Advance Licence No. P/W/1524302, date 10-12-1993 for a cif value of Rs. 7,14,62,200 (US 22,33,100) with an export obligations of Rs. (US 43,50,000) with a validity of 12 months from the date of issue of the licence. Now the firm have applied for grant of duplicate of Advance Licence (Customs Purpose copy for the import only on the ground that the licence have been lost/misplaced. The firm have furnished necessary affidavit according to which the aforesaid Advance Licence was registered with Madras Customs Authority and was utilised for Rs. 2,87,76,492 and the balance cif value against the licence is Rs. 4,26,85,707.39. A declaration has also been incorporated in the affidavit to the effect that if the said licence is traced or found later on, it will be returned to Issuing Authority.

2. On being satisfied that the original Advance Licence (Customs Purpose copy) for imports only have been lost the undersigned directs that duplicate Advance Licence (Customs Purpose copy) for import only should be issued to the applicant. I also, in exercise of the powers conferred in sub-clause (4) of Clause 9 of the Foreign Trade (Development and Regulation) Act, 1992, hereby cancel the original Advance Licence (Customs Purpose copy) for imports only

[File No. 01/82/40/864/AM-94/DES-VI/271]

M. L. BHUTANI, Dy. Director General of Foreign Trade
for Director General of Foreign Trade

नई दिल्ली, 23 मई, 1994

का. आ. 1315.—मैसर्स पेप्सी फूड्स लि., नई दिल्ली को लाइसेंस जारी करने की तारीख से 12 महीने की वैधता अवधि के लिए शून्य रुपये अमरीकी डालर 2,91,000 के निर्यात आभार के साथ रुपये 42,09,600 (अमरीकी डालर 1,31,550) के लागत बीमा भाड़ा मूल्य के लिए एक अग्रिम लाइसेंस सं. पी/एल/1525642 दिनांक 23-8-93 और डीईईसी बुक सं. 080049 दिनांक 23-3-1993 (आई और ई) दिया गया था। अब फर्म ने निर्यात प्रयोजन हेतु डीईईसी बुक (निर्यात) की अनुलिपि के लिये इस आधार पर आवेदन किया है कि डीईईसी बुक सं. 080049 (निर्यात भाग) दिनांक 23-8-1993 खो गया/गुम हो गया है। फर्म ने आवश्यक शपथपत्र भेजा है जिसके अनुसार उक्त डीईईसी बुक आईसीडी दिल्ली/बम्बई पत्तन के पास दर्ज कराई गई थी और इसका आंशिक रूप से इस्तेमाल किया

ता था। शपथपत्र में इस आशय की एक घोषणा भी शामिल कि यदि उक्त डीईईसी बुक का पता चल जाता है या यह बाद मिलती है तो इसे जारी करने वाले प्राधिकारी को लौटा या जायेगा।

2. इस बात से संतुष्ट होने पर कि मूल डीईईसी बुक सं. 0049 (निर्यात) दिनांक 23-8-1993 जो अग्रिम लाइ-संस. पी/एल/1525642, दिनांक 23-8-1993 के साथ बढ़ा भी, खो गई है मैं विदेश व्यापार (विकास और विनियमन) अधिनियम, 1992 की धारा 9 की उपधारा (4) रा प्रदत्त अधिकारों का प्रयोग करते हुये एतद्द्वारा मूल डीईईसी बुक सं. 080049 (निर्यात भाग) को रद्द करता हूँ। यह निदेश देता हूँ कि आवेदक को डीईईसी बुक (निर्यात) अनुलिपि जारी की जाये।

[एफ. सं. 01/82/40/1335/एम-93/डीईएस-6/270]

एम. एल. भूटानी, उप महानिदेशक
विदेश व्यापार
कुते महानिदेशक, विदेश व्यापार

New Delhi, the 23rd May, 1994

S.O. 1315.—M/s. Pepsi Foods Ltd., New Delhi were granted an advance licence No. P/L/1525642, dated 23-8-1993 DEEC BOOK No. 080049, dated 23-8-1993 (I & E) for CIF value of Rs. 42,09,600 (US \$ 1,31,550), with an Export Obligation of Rs. Nil US \$ 2,91,100 with a Validity of 12 Months from the date of issue of the licence. The firm has applied for grant of duplicate DEEC BOOK (Export) for the export purpose only on the ground that the DEEC Book No. 080049 (Export Part) dated 23-8-1993 have been lost/misplaced. The firm have furnished necessary affidavit according to which the aforesaid DEEC BOOK was registered with ICD Delhi/Bombay and utilized partly. A declaration has also been incorporated in the affidavit to the effect that if the said DEEC BOOK is traced or found later on, it will be returned to the Issuing Authority.

2. On being satisfied that the original DEEC BOOK No. 0049 (Export) dated 23-8-93 attached with advance licence No. P/L/1525642, dated 23-8-93 have been lost the undersigned in exercise of the powers conferred in sub-clause (4) of clause 9 of the Foreign Trade (Development & Regulation) Act, 1992, hereby cancel the Original DEEC BOOK No. 080049 (Export Part) and directed that duplicate DEEC BOOK (Export) should be issued to the applicant.

[F. No. 01/82/40/1335/AM-93/DES-VI/270]

M. L. BHUTANI, Dy. Director General of Foreign Trade
for Director General of Foreign Trade

वस्त्र मंत्रालय

नई दिल्ली, 12 मई, 1994

का.आ. 1316.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम 4 के अनुसरण में वस्त्र मंत्रालय के अंतर्गत आने वाले निम्नलिखित कार्यालयों को, जिनमें 80% कर्मचारी बृन्द ने हिंदी का कार्य साक्षक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

1. क्षेत्रीय तसर अनुसंधान एवं प्रशिक्षण संस्थान, बुनियादी-बीज प्रगुणन एवं प्रशिक्षण केन्द्र, पो. बस्तर (म.प्र.)-494223

2. आर.बी.बी.ए. स्पनिंग एंड वीविंग मिल्स, हिंगनघाट
3. आर.एस.आर.जी. मोहता स्पनिंग एंड वीविंग मिल, अकोला
4. राष्ट्रीय रेशम उत्पादन परियोजना, रेशम कीट बीज उत्पादन केन्द्र 767-बी.टी.सी. स्कीम, रानी रोड, उदयपुर-313001 (राजस्थान)
5. तकनीकी सेवा केन्द्र, राष्ट्रीय रेशम उत्पादन परियोजना, केन्द्रीय रेशम बोर्ड, 1-ए/19 हाउसिंग बोर्ड कालोनी बांसवाड़ा-327001 (राज.)
6. तकनीकी सेवा केन्द्र, राष्ट्रीय रेशम उत्पादन परियोजना, केन्द्रीय रेशम बोर्ड, केलवाड़ा-313325, तहसील-कुम्भलगढ़ जिला राजसमंद (राज.)
7. तकनीकी सेवा केन्द्र, राष्ट्रीय रेशम उत्पादन परियोजना, केन्द्रीय रेशम बोर्ड, रेलमगरा जिला राजसमंद (राज.)
8. क्षेत्रीय कार्यालय, एन एचडी सी, आई बी स्कूल कंप्लेक्स पुरानी बिक्री कर बिल्डिंग, जी टी रोड, पानीपत।

[सं. ई-11016/2/94-हिंदी]
कीर्ति कुमार, उप सचिव,

MINISTRY OF TEXTILES

New Delhi, the 12th May, 1994

S.O. 1316.—In pursuance of Sub-rule 4 of Rule 10 of the Official Language (Use for Official Purposes of the Union), Rule, 1976 the Central Government hereby notifies the following Offices under the Ministry of Textiles whereof more than 80% staff have acquired working knowledge of Hindi:—

1. Regional Tasar Research & Training Institute, Basic Seed Multiplication & Training Centre, Post Bastar M.P.-494223.
2. R.B.B.A. Spinning & Weaving Mills, Hinganghat.
3. R.S.R.G. Mohta Spinning & Weaving Mills, Akola.
4. National Sericulture Project, Silk Warm Seed Production Centre, 767, B.T.C. Scheme, Rani Road, Udaipur-313001 (Raj.).
5. Technical Service Centre, National Sericulture Project, Central Silk Board, I-A/19, Housing Board Colony, Banswara-327001 (Raj.).
6. Technical Service Centre, National Sericulture Project, Central Silk Board, Kelwara-313325, Tehsil Kumbhalgarh, Distt. Rajasamand (Raj.).
7. Technical Service Centre, National Sericulture Project, Central Silk Board, Raillmagra, Distt. Rajasamand (Raj.).
8. Regional Office, N.H.D.C., I.B. School Complex, Old Sales Tax Building, G.T. Road, Panipat.

[No. E-11016/2/94-Hindi]
KIRTHY KUMAR, Dy. Secy.

पर्यावरण और वन मंत्रालय

नई दिल्ली, 23 मई, 1994

का.आ. 1317.—केन्द्रीय सरकार, वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53) की धारा 38ड की

उपधारा (2) के अनुसरण में, एक निधि का गठन करती है, जो केन्द्रीय विडियाघर प्राधिकरण निधि कहलाएगी तथा इसमें निम्नलिखित राशियां जमा की जाएगी:—

- (क) केन्द्रीय सरकार द्वारा प्राधिकरण को दिए गये अनुदान और उधार;
- (ख) इस अधिनियम के उपबंधों के अधीन या के अनुसार प्राधिकरण को प्राप्त सभी शुल्क और प्रभार;
- (ग) प्राधिकरण को व्यक्तियों द्वारा जिनमें अनिवासी भारतीय निगमित और अनिगमित निकाय और अन्य दाता अभिकरण भी हैं, दिए गए दान;
- (घ) प्राधिकरण के विनिधानों और स्थिर आस्तियों पर प्रोद्भूत व्याज।

[सं. 6/3-94 डब्ल्यू. एल-1]
सर्वेश्वर झा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 23rd May, 1994

S.O. 1317.—In pursuance of sub-section 2 of Section 35 of Wild Life (Protection) Act, 1972 (53 of 1972), Central Government hereby constitutes a Fund to be called the Central Zoo Authority Fund, to which the following sums shall be credited, namely :—

- (a) grants and loans made to the Authority by the Central Government ;
- (b) all fees and charges received by the Authority under or in accordance with the provisions of the Act ;
- (c) donations made to the Authority by individuals including non-resident Indians, corporate and non-corporate bodies and other donor agencies ;
- (d) interest accrued on investments and fixed assets of the Authority ;

[No. 6/3/94-WL-

SARWESHWAR JHA, Jt. Sec

पेट्रोलियम और रसायन मंत्रालय

नई दिल्ली, 18 मई, 1994

का.आ. 1318.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए नरसापुरम से पेरबिल (कबूर) पाइप लाइन परियोजना के अंतर्गत पाइप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खंड 3 के उपखंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमि. के. जी. बेसिन प्रोजेक्ट, 29-7-1 3/ राजमंड्री-533 104, आंध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

गैस पाइप लाइन प्रोजेक्ट
नरसापुरम से पेरबिल (कबूर)

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/ एकड़ में)	विवरण
1	2	3	4	5	6
पश्चिम गोदावरि (आ. प्र.)	पोडूर	जगन्नाडपुरम	307— भाग 305-7 भाग " 3 "	0-01-50 0-07-50 0-01-00	जी.पी.

1	2	3	4	5
परिचय गोदावरी पोडूरु (ऑ. प्र.)		जगन्नाड पुरम	305-6 भाग	0-13-00
			„ 1 „	0-02-00
			308-1 भाग	0-13-00
			287-5 भाग	0-03-00
			„ 7 „	0-16-00
			288-8 भाग	0-07-00
			„ 6 „	0-03-00
			286-4 भाग	0-03-00
			285-1 भाग	0-02-50
			„ 2 „	0-23-00
			„ 3 „	0-01-50
			281-1 भाग	0-15-00
			283-2 भाग	0-17-00
			„ 1 „	0-01-50 जी.पी.
			224 भाग	0-24-00
			225- भाग	0-20-00 जी.पी.
			267-1 भाग	0-00-50
			266-1 भाग	0-10-00
			„ 2 „	0-12-50
			265-3 भाग	0-13-50
			262-3 भाग	0-09-00
			„ 4 „	0-07-00
			261-1 भाग	0-09-00
			„ 3 „	0-02-50
			„ 4 „	0-02-00
			„ 2 „	0-04-00
			योग —	2-44-50
			267-2 भाग	0-11-50
			„ 3ए „	0-08-50
			„ 3बी 2 „	0-08-00
			258-1 भाग	0-00-50 जी.पी.
			„ 2 „	0-00-50
			„ 3 „	0-01-00
			„ 4 „	0-05-00
			„ 5 „	0-02-00
			255-4 भाग	0-20-50
			„ 5 „	0-01-50 जी.पी.
			254-2 भाग	0-15-00
			„ 3 „	0-06-50
			229-2 भाग	0-10-50
			„ 4 „	0-02-50

1	2	3	4	5	6
पश्चिमी गोदावरी (आ.प्र.)-जायी पोडुरु जगन्नाधपुरम			248- भाग	0-08-00	
			231- भाग	0-28-50	
			230-3 भाग	0-05-50	
			232-1 भाग	0-27-00	
			234-2 भाग	0-04-00	
			244- भाग	0-03-00	जी.पी.
			239-2 भाग	0-00-50	
			239-3 भाग	0-01-00	
			237-2 भाग	0-16-00	
			237-4 भाग	0-00-50	
			238- भाग	0-03-50	
			योग	1-91-00	
			योग	2-44-50	
			कुल योग	4-35-50	

[सं. एन. 14016/14/93-जी.पी.]

अर्घेन्दु सेन, निदेशक

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 18th May, 1994

S.O. 1318.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural Gas through Narasapuram to Perawali (Kaurur) pipeline to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of users in the

land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd. K. G. Basin Project, 29-7-1/3/1, Opp : Gowthami Library, Rajahmundry-533104, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

GAS PIPE LINE PROJECT

Narasapuram to Perawali, (Kaurur)

DISTRICT	MANDAL	VILLAGE	SURVEY Nos.	AREA (IN HECT/ ACRES)	REMARKS
1	2	3	4	5	
West Godavari. (A.P.)	Poduru.	Jagannadhapuram.	307- Part	0.01.50	G.P.
			305-7 Part	0.07.50	
			" 3 Part	0.01.00	
			" 6 "	0.13.00	
			" 1 "	0.02.00	
			308-1 Part	0.13.00	
			287-5 Part	0.03.00	
			287-7 Part	0.16.00	
			288-8 Part	0 07 00	

1	2	3	4	5	6
West-Godawari (A.P.)	Poduru	Jaganaadhapuram	288-6 Part	0.03.00	
			286-4 Part	0.03.00	
			285-1 Part	0.02.50	
			285-2 Part	0.23.00	
			285-3 Part	0.01.50	
			281-1 Part	0.15.00	
			283-2 Part	0.17.00	
			283-1 Part	0.01.50	G.P.
			224- Part	0.24.00	
			225- Part	0.20.00	G.P.
			267-1 Part	0.00.50	
			266-1 Part	0.10.00	
			266-2 Part	0.12.50	
			265-3 Part	0.13.50	
			262-3 Part	0.09.00	
			262-4 Part	0.07.00	
			261-1 Part	0.09.00	
			261-3 Part	0.02.50	
			261-4 Part	0.02.00	
			261-2 Part	0.04.00	
			257-2 Part	0.11.50	
			257-3A Part	0.08.50	
			257-3B2 Part	0.08.00	
			258-1 Part	0.00.50	G.P.
			258-2 Part	0.00.50	
			258-3 Part	0.01.00	
			258-4 Part	0.05.00	
			258-5 Part	0.02.00	
			255-4 Part	0.20.50	
			255-5 Part	0.01.50	G.P.
			254-2 Part	0.15.00	
			254-3 Part	0.06.50	
			229-2 Part	0.10.50	
			229-4 Part	0.02.50	
			248- Part	0.08.00	
			231- Part	0.28.50	
			230-3 Part	0.05.50	
			232-1 Part	0.27.00	
			234-2 Part	0.04.00	
			244- Part	0.03.00	G.P.
			239-2 Part	0.00.50	
			239-3 Part	0.01.00	
			237-2 Part	0.16.00	
			237-4 Part	0.00.50	
			238- Part	0.03.50	
			Total	1.91.00	
			1 sheet total	2.44.50	
			Grand Total	4.35.50	Or AC 10-76

[No. L-14016/11.93 G.P.]
ARDHENDU SEN, Director

पेट्रोलियम और प्राकृतिक गैस भंडालय

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नई दिल्ली, 26 मई, 1994

का.ग्रा. 1319.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत के पेट्रोलियम कारपोरेशन लिमिटेड की परिष्करण माहल, मुम्बई से मनमाड तक मोटर स्प्रिट, उत्कृष्ट किरोसिन तेल और हाई स्पीड डीजल के परिवहन के लिए भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए,

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपायुक्त अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

उक्त अनुसूची में वर्णित भूमि में हितवद्ध कोई व्यक्ति, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री ए.एन. बेशपाण्डे, सक्षम प्राधिकारी, मुम्बई-मनमाड पाइपलाइन परियोजना, भारत पेट्रोलियम, कारपोरेशन लिमिटेड बसंत मार्केट, कनाडा कार्नेर, नासिक (महाराष्ट्र) पिन कोड 422002 को कर सकेगा ।

अनुसूची

तहसील : शाहपुर जिला : टाणो राज्य : महाराष्ट्र

गांव का नाम : सर्वे सं. क्षेत्र

हेक्टेयर ऐरे सेंट ऐरे

1 2 3 4 5

असरागांव	165/ए/1	0	26	62
	165/ए/2	0	10	27
	165/ए/3	0	43	95
	165/ए/4	0	09	72
	12/1 (1)	0	06	50
	12/2	0	10	80
	164/6 पी	0	12	00
	164/6 पी	0	15	45
	163/6	0	30	45
	163/5	0	30	60
	163/2	0	35	40
	33/पी	0	07	40
	35/4 पी	0	07	05
	37/ए/2	0	03	43
	37/ए/7पी	0	02	22
	37/ए/7 पी	0	04	45
	38/1	0	03	36
	38/2	0	05	14
	40/1	0	05	25
	40/2	0	05	00

शाहपुर

लाहे

45/1	0	12	70
45/2 पी	0	05	58
54/2/2	0	02	70
54/2/3 पी	0	18	90
56/1	0	12	00
56/2	0	08	40
64	0	13	10
65/1	0	23	30
70	0	91	01
69/1	0	01	02
109	0	13	54
37	0	19	66
35/1	0	29	32
35/2	0	04	42
38	0	10	36
34	0	04	00
113/3	0	53	03
111	0	40	88
127/6 पी	1	05	24
142/1	0	00	50
56	0	14	20
54	0	25	80
101/2	0	46	62
98/1 पी	0	62	98
76/1	0	00	88
154/1	0	18	65
77/2	0	25	35
97/2	0	24	98
252	1	91	82
285	0	27	95
264	0	08	82
259	0	17	28
262	0	05	13
256	0	01	05
261	0	39	95
260	0	07	21
222	0	25	01
223	0	01	75
224/ए	0	37	30
215	0	14	30
199	0	05	86
179	0	11	28
176	0	07	13
177	0	01	75
182	0	00	30
174	0	01	41
173	0	11	08
172	0	55	95
5	0	41	76
4	0	06	15
7	0	17	81
14	0	27	88
22	0	16	40

1	2	3	4	5	6	7	8	9	10
	25	0	24	44		36/2	0	33	00
	123	0	04	03		34/3	0	06	00
	128	0	13	70		34/4	0	01	00
	129	0	02	85		34/1	0	17	14
	127	0	07	50		36/3	0	05	63
	126	0	13	05		33/3	0	18	62
	124	0	14	25		32/1	0	07	50
	122	0	46	20		29	0	18	00
	121	0	21	15		31	0	14	10
	120	0	34	25		217	0	26	70
	115	0	49	15					
बेलुका	181	0	43	50	वशिष्ट	202/पी	0	39	90
	110	0	04	27		202/पी 17	0	36	50
	186	0	13	50		202/पी 24	0	05	00
	118/1	0	41	78		204/1	0	11	25
	118/2/1	0	10	49		204/2	0	23	45
	118/3	0	04	32		205	0	36	90
	118/4	0	24	85		209/1/1	0	23	25
	130/1	0	06	75		209/6/1	0	13	20
	130/2	0	02	50		5	0	10	88
	130/3	0	08	75		4/1	0	03	5
	130/4	0	02	12		4/2	0	10	95
	127/1	0	71	65		4/3	0	06	92
	127/2	0	00	50		4/4	0	11	80
	163/1	0	40	95		4/5	0	13	00
	164/1	0	13	65		3/5	0	15	28
	164/2	0	06	15		46/9	0	18	00
	170/2	0	21	45		46/1 + 11 + 12	0	16	25
	170/3	0	14	75		54	0	04	94
	169/2	0	33	24		53/पी 1	0	37	20
	168/1	0	29	59		51/3	0	07	20
	168/2	0	05	36		51/2/पी	0	22	50
	168/3	0	00	80		51/2/पी	0	07	20
	168/4	0	19	10	खानिबारी	97	0	10	15
	168/5	0	05	30		96	0	05	41
	168/6	0	01	70		93/ए	0	18	00
	168/7	0	00	17		120	0	20	40
	168/8	0	00	50		119	0	18	00
	168/9	0	00	44		114	0	15	09
	1	0	16	97		115	0	18	00
	48/1	0	03	00		128	0	16	75
	48/2	0	06	00		120	0	09	75
	48/7	0	03	60		138	0	40	50
	218/3	0	16	10		139	0	16	80
	20/1	0	01	12		206	0	02	24
	20/2	0	34	88		205	0	27	80
	21/3	0	21	00		204	0	09	45
	21/1	0	20	10		203	0	72	30
	24/1	0	11	37		197	0	09	63
	24/5	0	05	28		196/ए	0	06	26
	24/2	0	11	25		196/पी 1	0	23	02
	24/3	0	09	00		232	0	04	50
	24/4	0	09	40		240	0	13	40
						242	0	12	60

1	2	3	4	5	1	2	3	4	5
सरपोलि	320	0	23	01	दलखान—(जारी)	123	0	34	40
	334	0	13	25		121	0	05	00
	322	0	03	50		119	0	28	31
	325/पी	0	11	85		5	0	15	11
	306	0	07	50		8/ए	0	15	47
	327	0	08	75		9	0	17	25
	328	0	03	28		115/सी	0	23	95
	330	0	14	40		43/ए	0	56	35
	329	0	07	20		28	0	04	20
	331	0	29	30		44	0	10	13
	363/पी	0	46	35		45	0	09	00
	363/पी/22	0	18	00		75	0	06	48
पुनाथे	86/पी/1	0	07	36		70	0	14	85
	86/पी/9	0	18	40		71	0	01	40
	85/6/1	0	07	50		69	0	05	30
	85/8	0	15	30		62	0	38	99
	83/1	0	63	60		67	0	03	69
	83/2	0	58	20		66	0	06	00
	83/3/ए	0	40	80		65	0	07	00
	72/2	0	26	25		64	0	07	00
	73/1	0	13	50		224	0	58	35
	73/2	0	15	00	बागेल खुर्द	11/1/1	0	09	00
	97	0	01	00		11/2	0	09	12
	80/2	0	43	50		8/1	0	03	80
	80/4	0	70	10		4/3	0	02	88
	74/2	0	19	55		4/2	0	54	55
	19/2	0	15	25		3	0	11	40
	18	0	33	30		2/3	0	39	30
बादि	110	0	04	50		1/6	0	32	70
	112	0	49	35		72/2	0	19	88
	114/ए/1	0	54	82		71/पी	0	37	12
	115	0	06	00	पालि	185	0	60	05
	116/ए	0	03	68		187	0	25	70
	120	0	02	50		188	0	17	70
	61	0	36	00		190	0	20	21
	62	0	08	80		189	0	06	08
	60	0	03	34	सरमल	232	0	17	50
	59	0	17	48		234	0	15	95
	51	0	12	00		235	0	06	35
	48/पी	0	12	60		237	0	21	66
	49	0	04	55		338	0	25	25
	40/ए	0	68	24		240	0	05	34
दलखान	193	0	17	10		248	0	50	35
	164	0	75	15		249	0	19	52
	184	0	23	40		210	0	27	37
	166/पी	0	05	70		208	0	26	55
	178	0	26	04		209	0	09	20
	177	0	01	96		319	0	21	15
	179	0	39	76		317	0	04	63
	181	0	00	17		318	0	25	03
	125	0	64	32		311	0	20	43
	126	0	07	00		310	0	34	30
	136	0	06	97		305	0	25	00

1	2	3	4	5	1	2	3	4	
सरमल—(जारी)	327/बी	0	24	30	कमलगाँव—(जारी)	338	0	31	96
	327/ए	0	00	12		339	0	25	83
	330	0	15	75		340	0	24	71
	331	0	43	60		292	0	27	11
	279	0	05	00		296	0	23	31
	332	0	57	89		298	0	40	24
	277/बी	0	05	35		284	0	14	28
	278	0	04	53		275	0	17	57
सबरोली बुद्धक	118	0	54	68		276	0	17	38
	110	0	32	04		277	0	04	08
	97	0	24	60	रतनघाले	45/2	1	12	31
	96	0	42	36		41	0	02	06
	93	0	15	45		43/1/1	0	29	65
	95	0	18	61		39	0	08	80
	98/ए	0	06	01		63/2	0	92	80
	100	0	40	66		31/2	0	03	21
	102	0	17	46		16/3	0	44	35
	84	0	02	85		16/4	0	05	02
	83	0	28	50		15/2	0	11	70
	82	0	28	50		14/3/1	0	14	88
धटगाँव	219/6	0	21	34		14/3/2	0	01	43
	70/2	0	07	05		14/2	0	24	32
	219/5	0	04	56		14/1 पी	0	03	50
	219/4	0	10	50		14/1पी	0	03	37
	219/3	0	25	50		68	0	08	76
	219/2/2बी	0	08	19		10/3	0	58	60
	71 /ए	0	00	80		11/1	0	19	24
	191 /5	0	05	50		67/1	0	17	79
	191/2	0	11	99	षादी	83/2	0	47	40
	282	0	07	40		83/3	0	37	50
	73/3	0	03	64	धामनी	337	0	54	80
	73/2	0	02	38		336	0	98	68
	73/1	0	02	80		328	0	43	45
	283	0	10	40		329	0	67	73
	215/2	0	06	60	जरखी	209	0	13	55
	215/1/2	0	06	60		210	0	09	70
	190	0	03	12		79	0	22	93
	20/2	0	10	78		78	0	04	00
	214/4	0	14	98		71	0	01	88
	214/3	0	07	24		80	0	06	37
	214/1	0	20	78		83	0	43	70
	213/2	0	04	75		51	0	42	48
	213/1	0	15	75		47	0	03	65
सबरोली	156	0	02	15		49	0	23	85
	153	0	01	12		50	0	15	80
	144	0	08	22		37	0	33	85
	145/ए	0	38	65		36	0	32	88
कांविदे	101	0	06	56		35	0	39	48
फलमगाँव	370	0	79	20		34	0	13	05
	372/ए	0	11	25		33	0	13	80
	372/बी	0	33	02		14	0	65	20
	351	0	09	01		12	0	06	68
	350	0	67	64					

1	2	3	4	5
जरंदी	11	0	36	00
	13	0	01	20
	10	0	42	84
सुमरवादी	70	0	17	40
	71	0	40	67
	72/1	0	03	90
	74/पो	0	27	42
	74/पो	0	16	80
	75	0	17	47
	78	0	43	19
	76/1पो	0	18	65
	77/1	0	16	42
मशाले बुधक	283	0	12	15
	284	1	30	45
	286	0	18	94
	336	0	27	62
	335/बी	0	59	10
	293/सी	1	12	20
	383	0	15	30
	382	0	17	25
	384	0	67	70
	387	0	10	00
	424	0	19	95
	428	1	08	06
	423	0	00	66
	449	0	00	75
	436	0	01	00
	435	0	00	08
गुमाले	15	0	00	12
	3/1	0	02	44

[फाइल सं. प्रार.-31015/1/94-ओ.प्रार. II]

जे. के. मायाल, घवर तन्वि

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 26th May, 1994

S.O. 1319.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mahul Bombay to Manmad in the State of Maharashtra a pipeline should be laid by Bharat Petroleum Corporation Limited ;

And whereas that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the lands described in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein ;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri A. N. Deshpande, Competent Authority, Bombay Manmad Pipeline Project, Bharat Petroleum Corporation Limited, Vasant Market, Canada Corner, Nasik (Maharashtra)-422002.

SCHEDULE				
Teshil : Shahapur.	District : Thane	State : Maharashtra		
Name of Village	Survey No.	Area		
		Hect-are	Are	Centi-are
1	2	3	4	5
Asangaon	165/A/1	0	26	62
	165/A/2	0	10	27
	165/A/3	0	43	95
	165/A/4	0	09	72
	12/1	0	06	50
	12/2	0	10	80
	164/6p	0	12	00
	164/6p	0	15	45
	163/6	0	30	45
	163/5	0	30	60
	163/2	0	35	40
	33/P	0	07	40
	35/4p	0	07	05
	37/A/2	0	03	43
	37/A/7p	0	02	22
	37/A/7p	0	04	45
	38/1	0	03	36
	38/2	0	05	14
	40/1	0	05	25
	40/2	0	05	00
	45/1	0	12	70
	45/2p	0	05	58
	54/2/2	0	02	70
	54/2/3p	0	18	90
	56/1	0	12	00
	56/2	0	08	40
	64	0	13	10
	65/1	0	23	30
	70	0	91	01
	69/1	0	01	02
Shahapur	109	0	13	54
	37	0	19	66
	35/1	0	29	32
	35/2	0	04	42
	38	0	10	36
	34	0	04	00
	113/3	0	53	03
	111	0	40	88
	127/6p	1	05	24
	142/1	0	00	50
	56	0	14	20
	54	0	25	80
	101/2	0	46	62
	98/1p	0	62	98
	76/1	0	00	88
Lahe	154/1	0	18	65
	77/2	0	25	35
	97/2	0	34	98
	252	1	91	82
	265	0	27	95
	264	0	08	82
	259	0	17	28
	262	0	05	13
	256	0	01	05

1	2	3	4	5	1	2	3	4	5
Labe—Contd.	261	0	39	95	Veluk—Contd.	21/3	0	21	00
	260	0	07	21		21/1	0	20	10
	222	0	25	01		24/1	0	11	37
	223	0	01	75		24/5	0	05	28
	224/A	0	37	30		24/2	0	11	25
	215	0	14	30		24/3	3	09	00
	199	0	05	86		24/4	0	09	40
	179	0	11	28		36/2	0	33	00
	176	0	07	13		34/3	0	06	00
	177	0	01	75		34/4	0	01	00
	182	0	00	30		34/1	0	17	14
	174	0	01	41		36/3	0	05	63
	173	0	11	08		33/3	0	18	62
	172	0	55	95		32/1	0	07	50
	5	0	41	76		29	0	18	00
	4	0	06	15		31	0	14	10
	7	0	17	81		217	0	26	70
	14	0	27	88					
	22	0	16	40	Vashind	202/P	0	39	90
	25	0	24	44		202/p17	0	36	50
	125	0	04	03		202/P24	0	05	00
	128	0	13	70		204/1	0	11	25
	129	0	02	85		204/2	0	23	45
	127	0	07	50		205	0	36	90
	126	0	13	05		209/1/1	0	23	25
	124	0	13	31		209/6/1	0	13	20
	123	0	14	25		5	0	10	98
	122	0	46	20		4/1	0	03	51
	121	0	21	15		4/2	0	10	95
	120	0	34	25		4/3	0	06	92
	115	0	49	15		4/4	0	11	80
						4/5	0	13	00
						3/5	0	15	28
						46/9	0	18	00
						46/1+11+12	0	16	25
						54	0	04	94
						53/11	0	37	20
						51/3	0	07	20
						51/2/B/P	0	22	50
						51/2/B/P	0	07	20
Veluk	181	0	43	50					
	110	0	04	27					
	186	0	13	50					
	118/1	0	41	78					
	118/2/1	0	10	49					
	118/3	0	04	32					
	118/4	0	24	85					
	130/1	0	06	75					
	130/2	0	02	50					
	130/3	0	08	75	Khativli	97	0	10	15
	130/4	0	02	12		96	0	05	41
	127/1	0	71	65		98/A	0	18	00
	127/2	0	00	50		120	0	20	40
	163/1	0	40	95		118	0	18	00
	164/1	0	13	65		114	0	15	09
	164/2	0	06	15		115	0	15	00
	170/2	0	21	45		128	0	10	75
	170/3	0	14	75		129	0	09	75
	169/2	0	33	24		138	0	40	50
	168/1	0	29	59		139	0	16	80
	168/2	0	05	36		206	0	02	24
	168/3	0	00	80		205	0	27	80
	168/4	0	19	10		204	0	09	45
	168/5	0	05	30		203	0	72	30
	168/6	0	01	70		197	0	09	63
	168/7	0	00	17		196/A	0	06	26
	168/8	0	00	50		196/B	0	23	02
	168/9	0	00	44		232	0	04	50
	1	0	16	97		240	0	13	40
	48/1	0	03	00		242	0	12	60
	48/2	0	06	00					
	48/7	0	03	69					
	218/3	0	36	10	Cherpoli	320	0	23	01
	20/1	0	01	12		334	0	13	25
	20/2	0	34	88		322	0	03	50
						325/P	0	11	85

1	2	3	4	5	1	2	3	4	5
Cherpoli- Contd.	306	0	07	50	Dalkhan-Contd.	71	0	01	40
	327	0	08	75		69	0	05	30
	328	0	03	28		62	0	38	99
	330	0	14	40		57	0	03	69
	329	0	07	20		66	0	06	00
	331	0	29	30		65	0	07	00
	363/P	0	46	35		64	0	07	00
	363/P/22	0	18	00		224	0	58	35
Punandhe	86/P/1	0	07	36	Vashale Khurd	11/1/1	0	09	00
	86/P/9	0	18	40		11/2	0	09	12
	85/6/1	0	07	50		8/1	0	03	80
	85/8	0	15	30		4/3	0	02	88
	83/1	0	63	60		4/2	0	54	55
	83/2	0	58	20		3	0	11	40
	83/3/A	0	40	80		2/3	0	39	30
	72/2	0	26	25		1/6	0	32	70
	73/1	0	13	50		72/2	0	19	88
	73/2	0	15	00		71/P	0	37	12
	97	0	01	00	Pali	185	0	60	05
	80/2	0	43	50		187	0	25	70
	80/4	0	70	55		188	0	17	70
	74/2	0	19	10		190	0	20	21
	19/2	0	15	25		189	0	06	08
	18	0	33	30	Sarmal	232	0	17	50
Chande	110	0	04	50		234	0	15	95
	112	0	49	35		235	0	06	35
	114/A/1	0	54	82		237	0	21	66
	115	0	06	00		238	0	25	25
	116/A	0	03	68		240	0	05	34
	120	0	02	50		248	0	50	35
	61	0	36	00		249	0	19	52
	62	0	08	80		210	0	27	37
	60	0	03	34		208	0	26	55
	59	0	17	48		209	0	09	20
	51	0	12	00		319	0	21	15
	48/B	0	12	60		317	0	04	63
	49	0	04	55		318	0	25	03
	40/A	0	68	24		311	0	20	43
Dalkhan	163	0	17	10		310	0	34	30
	164	0	75	15		305	0	25	00
	184	0	23	40		327/B	0	24	30
	166/P	0	05	70		327/A	0	00	12
	178	0	26	04		330	0	15	75
	177	0	01	96		331	0	43	60
	179	0	39	76		279	0	05	00
	181	0	00	17		332	0	57	89
	125	0	64	32		277/B	0	05	35
	126	0	07	00		278	0	04	53
	136	0	06	97	Savroli Budruk	118	0	54	68
	123	0	34	40		110	0	32	04
	121	0	05	00		97	0	24	60
	119	0	28	31		96	0	42	36
	5	0	15	12		93	0	15	45
	8/A	0	15	45		95	0	18	61
	9	0	17	25		98/A	0	06	01
	115/C	0	23	95		100	0	40	66
	43/A	0	56	35		102	0	17	46
	28	0	04	20		84	0	02	85
	44	0	10	13		83	0	28	50
	45	0	09	00		82	0	28	50
	75	0	06	48					
	70	0	14	85					

1	2	3	4	5	1	2	3	4	5
Atgaon	219/6	0	21	34	Khardi	83/2	0	47	40
	76/2	0	07	05		83/3	0	37	50
	219/5	0	04	56	Dhamni	337	0	54	80
	219/4	0	10	50		336	0	98	68
	219/3	0	25	50		328	0	43	45
	219/2/2B	0	08	19		329	0	67	73
	71/A	0	00	80	Jarandi	209	0	13	55
	191/5	0	05	50		210	0	09	70
	191/2	0	11	99		79	0	22	93
	282	0	07	40		78	0	04	00
	73/3	0	03	64		71	0	01	88
	73/2	0	02	38		80	0	06	37
	73/1	0	02	80		83	0	43	70
	283	0	10	40		51	0	42	48
	215/2	0	06	60		47	0	03	65
	215/1/2	0	06	60		49	0	23	85
	190	0	03	12		50	0	15	80
	20/2	0	10	78		37	0	33	85
	214/4	0	14	98		36	0	32	88
	214/3	0	07	24		35	0	39	48
	214/1	0	20	78		34	0	13	05
	213/2	0	04	75		33	0	13	80
	213/1	0	15	75		14	0	65	20
Sakholi	156	0	02	15		12	0	06	68
	153	0	01	12		11	0	36	00
	144	0	08	22		13	0	01	20
	145/A	0	38	65		10	0	42	84
Kanvinde	101	0	06	56					
Kalambgaon	370	0	79	20	Susarwadi	70	0	17	40
	372/A	0	11	25		71	0	40	67
	372/B	0	33	02		72/1	0	03	90
	351	0	09	01		74/P	0	27	42
	350	0	67	64		74/P	0	16	80
	338	0	31	96		75	0	17	47
	339	0	25	83		78	0	43	19
	340	0	24	71		76/1B	0	18	65
	292	0	27	11		77/1	0	16	42
	296	0	23	31					
	298	0	40	24	Vashale Budruk	283	0	12	15
	284	0	14	28		284	1	30	45
	275	0	17	57		286	0	18	94
	276	0	17	38		336	0	27	62
	277	0	04	08		335/B	0	59	10
Ratandhale	45/2	1	12	31		293/C	1	12	20
	41	0	02	06		383	0	15	30
	43/1/1	0	29	65		382	0	17	25
	31	0	08	80		384	0	67	70
	63/2	0	92	80		387	0	10	00
	31/2	0	03	21		424	0	19	95
	16/3	0	44	35		428	1	08	06
	16/4	0	05	02		423	0	00	66
	15/2	0	11	70		449	0	00	75
	14/3/1	0	14	88		436	0	01	00
	14/3/2/	0	01	43		435	0	00	08
	14/2	0	24	32					
	14/1P	0	03	50	Fugale	15	0	00	12
	14/1P	0	03	37		3/1	0	02	44
	68	0	08	76					
	10/3	0	58	60					
	11/1	0	19	24					
	67/1	0	17	79					

[File No. R. - 31015/1/94-OR. II

J.K. MAYALL, Under Secy.

नई दिल्ली, 26 मई, 1994

का आ. 1320.—केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कारपोरेशन लिमिटेड की परिष्करणी माहुल, मुम्बई में मनमाड तक मोटर स्पिगिट, उल्फ्रेट किलोमिटर सेल और हाई स्पीड डीजल के परिवहन के लिए भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना में उल्लेख अनुसूची में वर्णित भूमि के उपयोग के अधिकार का भर्जन करना आवश्यक है ;

अतः अथ, केंद्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का भर्जन) अधिनियम, 1982 (1982 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार का भर्जन करने के अपने आशय की घोषणा करती है ;

उक्त अनुसूची में वर्णित भूमि में हितवद्ध कोई व्यक्ति, या के राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का भर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री ए. एन. देवपाण्डे, सक्षम प्राधिकारी, मुम्बई-मनमाड पाइपलाइन परियोजना, भारत पेट्रोलियम कारपोरेशन लिमिटेड, बसंत मार्केट, कताडा कानूर, नासिक (महाराष्ट्र) पिन कोड 422002 का कर सकेगा ।

अनुसूची

तहसील : भिवड जिला : धाणे राज्य : महाराष्ट्र

गांव का नाम सर्वे सं क्षेत्र

	हेक्टेयर	ऐरे	सेंटीऐरे	
1	2	3	4	5
मेलकुण्डे	32	0	26	85
	33	5	08	35
	27/2	5	19	38
	27/1	0	19	38
	30/6	0	03	20
	30/1	0	15	30
	30/2	0	15	25
	29	0	07	85
	24	0	75	87
	37/2	0	10	77
	23/1	0	16	85
	37/3	5	18	00
	39	0	24	02
	66/ए	0	47	80
	3	0	17	05
	59	0	00	04
	54/8	0	21	50
	60/1	0	03	50
	60/2	0	02	00
	54/7/1	0	06	12
	54/7/2	0	10	50
	53/4	0	25	65
	53/1	0	01	32
	53/2	0	06	00
	53/3	0	07	00

1	2	3	4	5
शिवनगर	105/6	0	48	65
	105/10	0	10	50
	105/11	0	28	50
	104/12	0	28	50
	107/2	0	33	60
	107/3	0	07	50
	107/1	0	05	70
	53/1	0	08	10
	53/8	0	09	78
	53/9	0	18	14
	110/1	0	28	80
	110/3	0	12	75
	110/2	0	06	95
	52/1	0	16	62
	52/6	9	07	26
	51/5	0	17	20
	51/2	0	24	50
	51/3	0	25	23
	51/4	0	04	52
लोलाड	45/13	0	14	12
	45/3	0	13	25
	45/8	0	00	41
	45/11	0	22	87
	87/7	0	04	90
	33/3/1-4ए	0	44	25
	33/3/3	0	15	00
	33/2	0	08	25
	33/1	0	12	60
	28/20	0	09	30
	28/16	0	26	12
	29/7	0	03	87
	29/8	0	13	75
	29/4	0	04	00
	29/6	0	17	25
	29/5	0	02	30
	18/2	0	25	75
	18/3	0	23	07
	18/1पी	0	03	87
	17/2	5	81	45
	17/1	0	17	87
	16/9	0	37	80
	11/5	0	21	50
	11/1	0	12	75
	10/1	0	60	50
जनवाल	28/1	0	22	35
	28/2/1	0	01	95
	34	0	01	90
	27	0	29	75
	33/3	0	07	57
	33/1/1	0	14	00
	26	0	05	25
	21	0	64	02

1	2	3	4	5	1	2	3	4	5
जनवाल--जारी	23/पी	0	10	00	अमने--जारी	29/1	0	43	50
	15	0	15	10		30	0	00	36
बण्डवास	7/24	0	13	25		46/3	0	13	75
	7/23	0	03	15		46/2	0	14	00
	67/1 ⁷	0	03	75		43/2पी	0	13	37
	6पी/1	0	09	60		42/17	0	30	24
	60/1	0	06	25		42/18	0	09	50
	5/1/1/1	0	06	75		42/19	0	35	40
	5/1/2/1	0	06	88		42/1	0	04	72
	9/1	0	06	37		42/2	0	15	10
	9/2	0	00	40	बसोरे	57/2	0	06	60
	10/2/1	0	10	35		57/1	0	01	06
	10/1	0	10	70		58/19	0	15	30
	11/3	0	07	12		54/2/1	0	06	75
	11/2 + 2ए	0	11	25		54/1	0	18	75
	11/1	0	08	30		54/2/2	0	03	37
	12/12ए	0	10	00		54/3	0	02	55
	12/9	0	07	25		48/7	0	20	40
	12/8	0	12	50		48/3	0	26	50
	12/1	0	03	30		48/4	0	14	10
	13/3/1	0	02	35		40/22	0	17	00
	13/2	0	07	50		40/21	0	08	69
	13/3/2	0	15	40		40/14	0	12	75
	16/6	0	18	00		39/3	0	00	46
	16/2/4	0	07	80		39/5	0	01	80
	16/2पी	0	04	00		39/2	0	02	00
	16/10 + 4	0	04	75		39/4	0	10	05
	16/1ए	0	16	12		40/14पी	0	13	50
	7/1	0	12	25		38/14/3	0	12	54
जसरोली	40/2	0	15	52		38/14/2	0	01	82
	41	0	44	70		37/17	0	22	00
	39	0	09	70		37/12	0	16	25
	34/8/1	0	09	62		37/13	0	23	00
	34/3	0	16	06		37/14	0	33	50
	33	0	00	80		20/1	0	06	07
	35	0	04	00		20/2	0	04	02
	28/7/2	0	04	50		20/4पी	0	01	36
	28/22	0	02	82		20/3	0	02	00
	37/2	0	00	75		19/6	0	03	98
	37/3	0	01	80		19/7	0	23	06
	38/21	0	08	00		19/2	0	51	00
	37/4	0	04	82		15/14	0	02	00
	23/2	0	01	95		15/15	0	01	50
	25/12/2	0	01	12		16	0	49	05
	38/17	0	00	37	सडाणे	172	0	65	60
	25/12/1	0	11	00		173	0	30	35
	25/10/2	0	19	12		179/1पी	0	00	99
	61/1	0	29	25		174	0	12	50
	21	0	18	11		175	0	24	50
अमने	257/2	0	07	65		176	0	33	56
	257/3	0	07	60		178/1	0	03	00
	29/2ए	0	10	10		179/3पी	0	29	75
	29/2पी	0	19	15					

1	2	3	4	5	1	2	3	4	5
महोदय—जारी	203/1	0	02	50	मोहो—(जारी)	58/पी	0	16	98
	205/1ए	0	14	50		60/4/पी	0	02	41
	204/1पी	0	25	75		60/1	0	21	75
	202/1पी	0	06	50		68	0	07	92
	19/1	0	44	20		69/8	0	00	97
	190	0	05	00		69/4	0	04	00
	197/4पी	0	27	15		69/5	0	08	80
	214	0	15	00		69/6	0	01	80
	113/1	0	11	40		69/2	0	06	89
	113/ पी	0	17	30		69/3	0	00	08
	114/4	0	13	20		69/7	0	00	83
	114/5	0	06	30		69/10	0	02	67
	115/1पी	5	15	00		70/12/2	0	01	50
	115/1पी	0	04	25		71/2 एब 1	0	00	45
	11/1पी	0	16	50		51/पी	0	32	54
	110/7	0	09	87		48/1	0	28	14
	106	0	06	12		47/पी	0	20	00
	108	0	01	90		45	0	13	28
	107	0	10	62		46/1	0	09	72
	109/1,5,11	0	05	12		44/1/पी	0	11	08
	85	0	00	37	कोशिमबी				
	86/1ए	0	46	30		49/1	0	07	75
	81/1	0	03	00		50/2	0	10	25
	87	0	05	25		50/1	0	10	05
	89/1ए	0	35	22		53/11	0	11	50
	75	0	45	70		52/8	0	06	00
	89/4	0	10	74		52/11	0	02	13
	90/1पी	0	35	73		57/10	0	04	92
	75/3पी	0	44	91		53/5	0	21	12
	75/3	0	58	69		52/10	0	01	08
	69/2	0	25	50		57/7	0	16	12
	73	0	23	62		56	0	01	00
	73	0	07	37		57/8	0	30	75
पछवे						57/9	0	11	40
	59	0	30	98		57/5	0	21	62
	58	0	32	98		60/8पी	0	13	50
	63/1पी	0	43	50		60/8पी	0	13	75
	63/1+2	0	24	75		60/7	0	01	80
	63/2	0	11	78		73/पी	0	29	53
	44	0	02	12		72/1	0	11	62
	39	0	67	92	काण्डली				
धन्दे						16/11	0	10	75
	59	0	08	21		16/10	1	13	20
	3/1	0	22	25		12	9	03	75
मोहो						16/7	0	26	65
	102/7	0	24	24		13/1	0	06	52
	102/5	0	04	10		16/4	0	02	12
	102/4	0	03	33		15/2	0	10	04
	100/1	0	51	48		23/8	0	29	93
	99/1	0	09	36		24/1	0	37	50
	99/2	0	02	52		24/4	0	16	75
	58/1/पी	0	16	18		25/2+3+4पी	0	16	80
						28	0	03	58

1	2	3	4	5	1	2	3	4	5
कासाणे					Yelkunda—(Contd.)	27/2	0	19	38
49	0	07	00		27/1	0	19	38	
48	0	09	12		30/6	0	03	20	
42	0	58	88		30/1	0	15	30	
40/2	0	30	80		30/2	0	15	25	
40/1	0	11	82		29	0	07	85	
17/1	0	20	62		24	0	75	87	
17/2	0	15	00		37/2	0	10	77	
16/4	0	13	55		23/1	0	16	85	
16/3	0	20	25		37/3	0	18	00	
16/2	0	13	25		39	0	24	02	
15/2	0	12	92		66/A	0	47	80	
15/1	0	07	50		3	0	17	05	
14/1	0	30	35		59	0	00	04	
192/1, 3					54/8	0	21	50	
191/1, 5, 3	0	45	05		60/1	0	03	50	
193/1	0	19	25		60/2	0	03	00	
104/2	0	27	28		54/7/1	0	06	12	
194/1	0	07	69		54/7/2	0	10	50	
					53/4	0	25	65	
					53/1	0	01	32	
					53/2	0	06	00	
					53/3	0	07	00	
					105/6	0	48	65	
					105/1	0	10	50	
					105/11	0	28	50	
					104/12	0	28	50	
					107/2	0	33	60	
					107/3	0	07	50	
					107/1	0	05	70	
					53/1	0	08	10	
					53/8	0	09	78	
					53/7	0	18	14	
					110/1	0	28	80	
					110/3	0	12	75	
					110/2	0	06	95	
					52/1	0	16	62	
					52/6	0	07	26	
					51/5	0	17	20	
					51/2	0	24	50	
					51/3	0	25	32	
					51/4	0	04	32	
					45/13	0	14	12	
					45/3	0	13	25	
					45/8	0	00	41	
					45/11	0	22	87	
					97/7	0	04	90	
					33/3/1+4A	0	44	90	
					33/3/3	0	15	00	
					33/2	0	08	25	
					33/1	0	12	60	
					28/20	0	07	20	
					28/16	0	26	12	
					29/7	0	03	87	
					29/8	0	13	75	
					29/4	0	04	00	
					29/6	0	17	25	
					29/5	0	02	30	
					18/2	0	25	75	
					18/3	0	23	07	
					18/1	0	08	87	
					17/2	0	01	45	
					17/1	0	17	87	
					16/7	0	37	80	
					11/5	0	21	50	

[फा. सं. मार.-31015/2/94-ओ. मार.-I]

जे. के. मायाजी, प्रवर सचिव

New Delhi, the 26th May, 1994

S.O. 1320.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mathul Bombay to Manmad in the State of Maharashtra a pipeline should be laid by Bharat Petroleum Corporation Limited ;

And whereas that for the purpose of laying such pipeline, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein ;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri A. N. Deshpande, Competent Authority, Bombay Manmad Pipeline Project, Bharat Petroleum Corporation Limited, Vasant Market, Canada Corner, Nasik (Maharashtra)-422002.

SCHEDULE

Tehsil : Bhivandi District : Thana State : Maharashtra

Name of Village	Survey No.	Area		
		Hec-tare	Acre	Cent-tiar
1	2	3	4	5
Yelkunda	32	0	26	85
	33	0	08	35

Lonad

1	2	3	4	5	1	2	3	4	5
	11/1	0	12	75	Amne—(contd)	29/1	0	43	50
	10/1	0	60	50		30	0	00	36
Janval	28/1	0	22	35		46/3	0	13	75
	28/2/1	0	01	95		46/2	0	14	00
	34	0	01	90		43/2P	0	13	37
	27	0	29	75		42/17	0	20	24
	33/3	0	07	57		42/18	0	09	50
	33/1/1	0	14	00		42/19	0	35	40
	26	0	05	25		42/1	0	04	72
	21	0	64	02		42/2	0	15	10
	23/P	0	10	00	Vashere	57/2	0	06	60
	15	0	15	10		57/1	0	01	06
Khandval	7/24	0	13	25		58,19	0	15	30
	7/23	0	03	15		54/2/1	0	06	75
	6A/1	0	03	75		54/1	0	18	75
	6B/1	0	09	60		54/2/2	0	03	37
	60/1	0	06	25		54/3	0	02	55
	5/1/1/1	0	06	75		48/7	0	20	40
	5/1/2/1	0	06	88		48/3	0	26	50
	9/1	0	06	37		48/4	0	14	10
	9/2	0	00	40		40/22	0	17	00
	10/2/1	0	10	35		40/21	0	08	69
	10/1	0	10	70		40/14	0	12	46
	11/3	0	07	22		39/3	0	00	40
	11/2+2A	0	11	25		39/5	0	01	80
	11/1	0	08	30		39/2	0	02	00
	12/12A	0	10	00		39/4	0	10	05
	12/9	0	07	25		40/14P	0	13	50
	12/8	0	12	50		38/14/3	0	12	54
	12/1	0	03	30		38/14/2	0	01	82
	13/3/1	0	03	35		37/17/1	0	22	00
	13/2/1	0	07	50		37/12	0	16	25
	13/3/2	0	15	40		37/13	0	23	00
	16/6	0	18	00		37/14	0	33	50
	16/2/4	0	07	80		20/1	0	06	07
	16/2B	0	04	00		20/2	0	04	02
	16/10+4	0	04	75		20/4P	0	01	36
	16/1A	0	16	12		20/3	0	02	00
	7/1	0	12	25		19/6	0	03	98
Uroli	40/2	0	15	52		19/7	0	23	06
	41	0	44	70		19/2	0	51	00
	39	0	09	70		15/14	0	02	00
	34/8/1	0	09	62		15/15	0	01	50
	34/3	0	16	06		16	0	49	05
	33	0	00	80		172	0	65	60
	35	0	04	00		173	0	30	35
	38/7/2	0	04	50		179/1P	0	00	99
	38/22	0	02	82		174	0	12	50
	37/2	0	00	75		175	0	24	50
	37/3	0	01	80		176	0	33	56
	38/21	0	08	00		178/1	0	03	00
	37/4	0	04	82		179/3P	0	29	75
	23/2	0	01	95		203/1	0	02	50
	25/12/2	0	01	12		205/1A	0	15	50
	38/17	0	00	37		204/1P	0	25	75
	25/12/1	0	11	00		202/1P	0	06	50
	25/10/2	0	19	12		196/1	0	44	20
	61/1	0	29	25		190	0	05	00
	21	0	18	11		197/4P	0	27	15
Amne	257/2	0	07	65		214	0	15	00
	257/3	0	07	60		113/1	0	11	40
	27/2A	0	10	10		113/3P	0	17	30
	27/2B	0	19	15		114/4	0	13	20
						114/5	0	06	30
						115/1P	0	15	00

1	2	3	4	5	1	2	3	4	5
Bhadane Contd.	11/1P	0	04	25		52/10	0	01	08
	115/1P	0	16	50		57/7	0	16	12
	110/7	0	09	87		56	0	01	00
	106	0	06	12		57/8	0	30	75
	108	0	01	90		57/9	0	11	40
	107	0	10	62		57/5	0	21	62
	109/1,5,11	0	05	12		60/8P	0	13	50
	85	0	00	37		60/8P	0	13	75
	86/1A	0	46	30		60/7	0	01	80
	81/1	0	03	00		73/P	0	29	52
	87	0	05	25		72/1	0	11	62
	89/1A	0	35	22	Kandali	16/11	0	10	75
	75	0	45	70		16/10	1	13	20
	89/4	0	10	74		12	0	03	75
	90/1P	0	35	75		16/7	0	26	65
	75/2P	0	44	91		13/1	0	06	52
	73/3	0	58	69		16/4	0	02	12
	69/2	0	25	50		15/2	0	10	04
	72	0	23	62		23/8	0	29	93
	73	0	07	37		24/1	0	37	50
Padghe	59	0	30	98		24/4	0	16	75
	58	0	32	68		25/2+3+4	0	16	80
	63/1P	0	43	50		28	0	03	50
	63/1+2	0	24	75	Kasane	49	0	07	00
	63/2	0	11	78		48	0	09	12
	44	0	02	12		42	0	58	88
	39	0	67	92		40/2	0	30	80
Anhe	59	0	08	20		40/1	0	11	82
	3/1	0	22	25		17/1	0	20	62
Dohole	102/7	0	24	24		17/2	0	15	00
	102/5	0	04	10		16/4	0	13	55
	102/4	0	03	33		16/3	0	20	25
	100/1	0	51	48		16/2	0	13	25
	99/1	0	09	36		15/2	0	12	92
	99/2	0	02	52		15/1	0	07	50
	58/1/P	0	16	18		14/1	0	30	35
	58/P	0	16	98		192/1,3			
	60/4/P	0	02	41		191/1,5,3	0	45	05
	60/1	0	21	75		193/1	0	19	25
	68	0	07	92		104/2	0	27	28
	69/8	0	00	97		194/1	0	07	69
	69/4	0	04	00					
	69/5	0	06	80					
	69/6	0	01	80					
	67/2	0	06	86					
	69/3	0	00	08					
	69/7	0	00	83					
	69/10	0	02	67					
	70/12/2	0	01	50					
	71/2&1	0	00	45					
	51/P	0	32	54					
	48/1	0	28	14					
	47/P	0	20	00					
	45	0	13	28					
	46/1	0	09	72					
	44/1/P	0	11	68					
Keshimbi	49/1	0	07	75					
	50/2	0	10	25					
	50/1	0	10	05					
	53/11	0	11	50					
	52/9	0	06	00					
	52/11	0	02	12					
	57/10	0	04	62					
	52/5	0	21	12					

[File No. R-31015/2/94-OR.II]
J. K. MAYALL, Under Secy.

नई दिल्ली, 26 मई, 1994

का.भा. 1321.—केंद्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोसियम कारपोरेशन लिमिटेड की परिष्करण, बाहुल, मुम्बई से ममसाड तक मोटर स्पिरिट, उत्कृष्ट करोसिन तेल और हार्ड स्पीड डीजल के परिवहन के लिए भारत पेट्रोसियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाखण्ड अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है;

घत: जब, केंद्रीय सरकार, पेट्रोसियम और वनिय पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है,

उक्त अनुसूची में वर्णित भूमि में हितवश कोई व्यक्ति, भारत के राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को

उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, इनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने की संबंध में प्राप्त लिखित रूप में श्री ए.एन. देसाय, सक्षम प्राधिकारी, मुम्बई मनमाड पाइपलाइन परियोजना, भारत पेट्रोलियम कारपोरेशन लिमिटेड, बसंत मार्केट, कमाडा कार्नेर, नासिक (महाराष्ट्र) पिन कोड 422002 को कर सकेगा।

अनुसूची

तालिका : मेबला

जिला : नासिक

राज्य : महाराष्ट्र

गांव का नाम

सर्वे सं.

क्षेत्र

हेक्टेयर ऐरे सेंटीयर

1	2	3	4	5
बिसापुर (2)	155	0	42	00
	154	0	39	92
	153/1	0	22	25
	153/2	0	21	00
	153/3	0	03	52
	149/1	0	22	50
	149/2	0	36	15
	144/1	0	19	95
	144/3	0	18	00
	145	0	14	10
	146	0	19	50
	139	0	13	95
	140/3	0	70	39
बिसापुर (2)	141/1	0	13	03
	131/4	0	30	45
	130	0	28	74
	123	0	90	55
	120	0	41	47
	116	0	13	69
	115/1/1	0	54	01
	115/1/2	0	21	00
	10	0	94	14
	11/1	0	10	05
	11/2	0	18	40
	17	0	34	20
बिसापुरी	158/3	0	50	15
	157/1	0	46	32
	157/2	0	46	00
	172	0	39	68
	173/2	0	24	92
	174	0	15	43
	178/ए	0	44	74
	178/बी/1/1	0	23	60
	176	0	04	35
	179	0	26	94
कदरणी	255	0	34	95
	259/1	0	36	00
	246	0	38	64
	247	0	18	25
	244/1	0	28	10
	244/2	0	10	67
	244/3	0	25	31

1	2	3	4	5
सुरासी	46	0	97	80
	44/1/1	0	26	25
	44/1/2	0	28	75
	18	0	02	40
	17	0	12	44
	16	0	13	75
	15	0	41	51
	21/1	0	00	68
	14	0	05	51
	13	0	02	78
	12	0	12	43
अवगांव रेपाल (1)	463	0	35	88
	303	0	03	12
	271/1	0	69	75
	472	0	37	07
	471/2	0	05	55
	473	0	12	00
	475	0	19	20
	476	0	12	73
	469/3	0	08	16
	479/1	0	17	50
	479/2	0	29	65
	488	0	80	60
अवगांव रेपाल (2)	487	0	25	43
	486/1	0	01	50
	492	0	07	76
	493	0	27	23
	494	0	23	58
	495	0	01	36
	21/बी/2	0	42	01
	20	0	02	74
	25	0	02	10
	26/1	0	15	88
	26/2	0	26	78
	27	0	17	70
अवगांव रेपाल (3)	270/ए	0	02	28
	263	0	30	50
	269	0	04	60
	262	0	12	50
	257	0	38	10
	264	0	36	15
	56	0	02	35
	57	0	22	08
	58	0	08	25
	61	0	10	73
	253	0	00	25
	252/1	0	30	80
अवगांव रेपाल (4)	152/ए	0	84	05
	152/बी1	0	21	30
	152/बी2	0	01	05
	164	0	02	79
	165	0	13	89

1	2	3	4	5	1	2	3	4	5
अवगाव रेपाल (4)—जारी	160	0	08	05	लीकी शिरत	103/2	0	39	00
	159	0	00	45		103/1	0	29	10
	153	0	04	37		142/1	0	36	15
	154	0	37	75		143	0	08	74
	155/1	0	34	80		144	0	39	45
	174	0	00	66		145/1	0	42	75
	175	0	04	70		146/1	0	34	54
अवगाव रेपाल (5)	176	0	07	75		147	0	02	93
	177	0	03	88	बलवगाव	194/3/ए/1	0	73	80
	178	0	01	58		194/3/2	0	15	00
	179	0	12	02		216	0	01	50
	180	0	26	40		217/3	0	42	48
	191	0	05	35		217/6	0	33	00
	192	0	33	75		223/1	0	21	00
	193/1	0	14	96		223/5	0	54	50
	58	0	44	40		283	0	20	42
पटोवा	138	0	15	53	बलवगाव (2)	219/1	0	11	75
	149/1	0	96	86		220	0	05	94
	149/2	0	24	00		222	0	35	85
	150/ए/2	0	20	43		238/2	0	02	70
लीकखेडा	181/3	0	03	23		237	0	43	24
	179	0	31	14		239	0	22	10
	178	0	41	88		241/1 बी	0	12	00
	172	0	21	00					
	177	0	19	88					
	176/ए	0	10	07					
	176/बी	0	06	45					
	174	0	81	00					
	167	0	41	10					
	166	0	51	68					
	154	0	52	58					
	155/1	0	33	00					
	156	0	28	28					
	159	0	20	33					
	158	0	44	55					
	157	0	70	28					
लीकी-शिरत (1)	68	0	24	50					
	67	0	41	27					
	65/बी	0	25	63					
	73/1/ए	0	38	00					
	73/2/ए	0	66	00					
	74	0	16	39					
	57	0	24	99					
	56	0	48	23					
	79	0	45	73					
लीकी-शिरत (2)	80	0	18	02					
	81	0	01	26					
	84	0	29	81					
	85	0	50	85					
	92	0	04	19					
	90	0	15	12					
	104	0	33	40					
	91	0	16	13					
	100/3	0	23	03					

[सं. प्रार-31015/3/93-ओ. प्रार.-II]

जे. के. मयास, प्रवर सचिव

New Delhi, the 26th May, 1994

S.O. 1321.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mahul, Bombay to Manmad in the State of Maharashtra a pipeline should be laid by Bharat Petroleum Corporation Limited;

And whereas for the purpose of laying such pipeline, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User In Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of users therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein on laying of the pipeline under the land to Shri A. N. Deshpande, Competent Authority, Bombay-Manmad Pipeline Project, Bharat Petroleum Corporation Limited, Vasant Market, Canada Corner, Nasik (Maharashtra)-400 002.

SCHEDULE

Tehsil : Yeola. District : Nasik State : Maharashtra.				
Name of Village	Survey No.	Area		
		Hec- tare	Are	Centi- tare
1	2	3	4	5
Visapur (I)	155	0	42	00
	154	0	39	92
	153/1	0	22	25
	153/2	0	21	00
	153/3	0	03	52
	149/1	0	22	50
	149/2	0	36	15
	144/1	0	19	95
	144/3	0	18	00
	145	0	14	10
	146	0	19	50
	139	0	13	95
	140/3	0	70	39
Visapur (II)	141/1	0	13	03
	131/4	0	30	45
	130	0	28	74
	123	0	90	55
	120	0	41	47
	116	0	13	69
	115/1/1	0	54	01
	115/1/2	0	21	00
	10	0	94	14
	11/1	0	10	05
	11/2	0	18	40
	17	0	34	20
Vikharni	158/3	0	50	15
	157/1	0	46	32
	157/2	0	46	00
	172	0	39	68
	173/2	0	24	92
	174	0	15	43
	178/A	0	44	74
	178/B/1/1	0	23	60
	176	0	04	35
Katarni	179	0	26	94
	255	0	34	95
	259/1	0	36	00
	246	0	38	64
	247	0	18	25
	244/1	0	28	10
	244/2	0	10	67
	244/3	0	25	31
Murami	46	0	97	60
	44/1/1	0	26	25
	44/1/2	0	26	75
	18	0	02	40
	17	0	12	44
	16	0	13	75
	15	0	41	51
	21/1	0	00	68
	14	0	05	51
	13	0	02	78
Adgaon Repal (I)	12	0	12	43
	463	0	35	88
	303	0	03	12

SCHEDULE

1	2	3	4	5
	271/1	0	69	75
	472	0	37	67
	471/2	0	05	55
	473	0	12	00
	475	0	19	20
	476	0	12	73
	469/3	0	06	16
	479/2	0	29	65
	488	0	30	60
Adgaon Repal (II)	487	0	25	43
	486/1	0	01	50
	492	0	07	76
	493	0	27	23
	494	0	25	58
	495	0	01	36
	21/B/2	0	42	01
	20	0	02	74
	25	0	02	10
	26/1	0	15	88
	26/2	0	26	78
	27	0	17	70
Adgaon Repal (III)	270/A	0	02	26
	263	0	30	50
	269	0	04	60
	262	0	12	50
	257	0	38	10
	264	0	36	15
	56	0	02	35
	57	0	22	08
	59	0	08	25
	61	0	10	73
	253	0	00	25
	252/1	0	30	80
Adgaon Repal (IV)	152/A	0	64	05
	152/B1	0	21	30
	152/B2	0	01	05
	164	0	02	79
	165	0	13	89
	160	0	08	50
	159	0	00	45
	153	0	04	37
	154	0	37	75
	155/1	0	34	80
	174	0	00	66
	175	0	05	70
Adgaon Repal (V)	176	0	07	75
	177	0	03	88
	178	0	01	58
	179	0	12	02
	180	0	26	40
	191	0	05	35
	192	0	33	75
	193/1	0	14	96
	58	0	44	40
	138	0	15	53
Patoda	149/1	0	96	86
	149/2	0	24	00
	150/A/2	0	20	43
Nilkheda	181/3	0	03	23
	179	0	31	14
	178	0	41	88

	2	3	4	5
	172	0	21	00
	177	0	19	88
	176/A	0	19	07
	176/B	0	06	45
	174	0	81	00
	167	0	41	10
	166	0	51	68
	154	0	52	58
	155/1	0	33	00
	156	0	28	28
	159	0	20	33
	158	0	44	55
	157	0	70	28
Lauki-shiras (I)	68	0	24	50
	67	0	41	27
	65/B	0	25	63
	73/1/A	0	38	00
	73/2/a	0	66	00
	74	0	16	39
	57	0	24	99
	56	0	48	23
	79	0	45	73
Lauki-shiras (II)	80	0	18	02
	81	0	01	26
	84	0	29	81
	85	0	50	85
	92	0	04	19
	90	0	15	12
	104	0	33	49
	91	0	16	13
	103/3	0	23	03
Lauki-shiras (III)	103/2	0	39	00
	103/1	0	29	10
	142/1	0	36	15
	143	0	08	74
	144	0	39	45
	145/1	0	42	75
	146/1	0	34	54
	147	0	02	93
Valadgaon (I)	194/3/1A	0	73	80
	194/3/2	0	15	00
	216	0	01	50
	217/3	0	42	48
	217/6	0	33	00
	233/1	0	21	00
	233/5	0	54	50
	283	0	20	42
Valadgaon (II)	219/1	0	11	75
	220	0	05	94
	222	0	35	85
	238/2	0	02	70
	237	0	43	24
	239	0	22	18
	241/1B	0	12	00

[F. No. R-31015/3/93-OR. III]

J.K. MAYALL, Under Secy.

नई दिल्ली, 26 मई, 1994

का.भा. 1322—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कार्पोरेशन लिमिटेड की परिष्करण, माहल, मुम्बई से मनमाड तक मोटर सिगरेट, अक्रुण्ट किरोसिन तेल और हाई स्पीड डीजल के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए।

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 4 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है,

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, भारत के राजपत्र में पत्राशकाशित इस अधिसूचना की प्रतियां साधारण जमाता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें प्रयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री ए. एन. देशपांडे, सहाय प्राधिकारी, मुम्बई, मनमाड पाइपलाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, बसंत मार्केट, कतावा वार्ड नमिक (महाराष्ट्र) पिन कोड 422002 को कर सकेगा।

अनुसूची

तहसील : सितार त्रिवा : नासिक राज्य : महाराष्ट्र

गांव का नाम	सर्वे त.	क्षेत्र
		हेक्टेयर आर सेंटीयर

1	2	3	4	5
हिबारागाव	33	1	09	03
	34/7	0	27	32
	34/11	0	04	90
	42	0	77	67
	43/1	0	17	66
	44	0	12	84
	45	0	33	00
	46	0	24	60
	47	0	19	80
	50/1	0	20	70
	52/1	0	19	80
	53	0	20	10
	54/2	0	15	90
	55	0	04	84
	58	0	07	19
	57	0	42	30
	63/1	0	15	30
	63/2	0	07	80
	63/3	0	15	90
	64	0	58	80
	65	0	01	26
	69/1	0	19	50
	68	0	80	64
	76/3	0	04	71
पटपिपरी	899/1	0	46	61
	899/3	0	11	10
	899/4	0	18	30
	901	0	11	40
	900/1	0	05	00
	900/2	0	04	60

1	2	3	4	5	1	2	3	4	
पटपिपरी—जानी	898	0	38	83		608/2/1	0	33	00
	894	0	12	95		607	0	05	67
	897	0	02	85		606	0	05	05
	895	0	21	26		604/1	0	10	08
	882	0	29	39		604/2	0	23	47
	881	0	12	00		603	0	28	35
	880	0	13	05		833/1	0	15	00
	879	0	37	50		833/2	0	42	25
	878	0	27	59		833/3	0	41	25
	877	0	10	01		31/1	0	30	60
	852	0	31	20		31/2	0	06	00
	851	0	36	30		32	0	46	87
	848	0	12	30		34	0	16	23
	812	0	04	88		35	0	02	37
	809	0	15	03		45	0	72	90
	808	0	13	86		43	0	17	28
	807	0	13	80		44	0	21	26
	806	0	09	15		41	0	14	83
	805	0	09	75		40	0	21	30
	797	0	10	20		63/9	1	42	61
	798	0	06	75		63/5	0	06	05
	799	0	36	96		63/7	0	42	90
	744	0	04	65		63/6	0	14	49
712/3	0	03	62			67	0	03	80
720	0	39	38			68	0	17	82
721	0	21	11			72/8	0	05	62
722	0	03	74			71	0	28	04
719	0	01	53			70	0	38	10
724	0	12	15			81	0	18	89
727	0	07	35			82/1	0	19	50
726	0	09	87		बागमंठ पिपरी	741	0	72	45
733	0	08	94			834	0	18	85
732	0	18	83			774/1	1	20	75
738	0	19	95			830	0	00	75
673/1	0	19	03			829	0	11	10
673/2	0	15	00			826	0	17	85
659	0	12	65			828	0	45	30
660	0	15	72			825	0	12	30
628/1	0	08	10			865	0	22	40
625/2	0	04	20			870	0	21	30
626/1	0	02	70			869	0	25	67
626/2	0	04	20			886	0	41	53
627	0	21	00			887	0	52	30
632	0	07	09		मेपारवडी	17	0	27	75
628	0	14	48			18	0	57	25
629	0	07	05			21	0	27	21
630	0	06	66			22	0	24	30
619	0	07	33			23/3	0	38	60
631/3	0	04	65			23/2	0	35	30
618	0	02	40			28	0	54	00
773	0	08	25			27	0	36	60
570	0	01	43			40	0	34	08
571	0	02	40			39	1	56	07
574	0	30	88			36	0	05	07
608/1	0	13	13						

1	2	3	4	5	1	2	3	4	5
	37	0	73	43					
	57	0	94	71	आदिगाँव	230	0	02	60
	59	0	82	87		228	0	31	65
आदिगाँव	71	0	09	83		225	0	54	90
	72	0	20	00		208	0	37	93
	73	0	34	70		209	0	02	05
	74	0	08	78		205	0	08	25
	75	0	27	90		204	0	08	25
	76	0	32	70		203	0	08	85
	78/1	1	39	80		202	0	14	55
	80	0	46	90		201	0	51	11
	81	0	25	50		195	0	20	43
	83	0	14	75		194	0	02	46
	53/1	0	55	60		185	0	29	10
	53/2	0	22	00		184	0	29	48
	54	0	01	95		175	0	19	95
	50	1	39	85		178	0	38	79
बिन्ना	891/बी	0	90	00		179	0	25	80
	892/ए/1/10	0	33	15		167	0	14	55
	899/1	0	48	24		168	0	07	35
	899/2	0	65	00		161	0	18	78
	908/20/ए+बी/1	0	32	70		156	0	17	54
	907/1	0	28	90		159	0	10	97
	906/1+2	0	25	71		155	0	14	18
	905	0	30	90		148	0	26	25
	912/2	0	57	00		149	0	09	36
वेम्ड	393	0	20	29		135	0	06	41
	392	0	12	22		136	0	22	63
	396	0	11	25		133	0	13	90
	397	0	15	15		132	0	08	31
	390	0	14	47		81	0	04	73
	388	0	16	27		82	0	12	90
	384	0	24	70		83	0	00	04
	385	0	03	00		84	0	99	46
	387	0	37	50		88	0	07	46
	401	0	37	27		72	0	13	57
	432	0	19	04		71	0	08	24
	431	0	16	80		70	0	07	90
	416	0	06	00		68	0	01	56
	415	0	14	55		68	0	04	14
	412	0	12	45		67	0	17	04
	451	0	32	47	बन्नापुर	103	0	61	01
	452/1	0	73	95		104	0	11	24
	473	0	57	52		105	0	87	05
	545	0	43	77	बोगवाड	449	0	10	88
	580	0	07	59		450/2	0	03	15
	546	0	54	97		448	0	00	65
	547	0	13	78		447/बी	0	03	46
	550	0	37	57		445	0	43	72
	551	0	32	69					
	559/1	0	23	70		443	0	17	22
	559/2	0	11	55		440	0	01	08
	559/3	0	15	60		441/1	0	30	60
	560	0	04	68		393	0	16	35
	557	0	55	07		392	0	08	45
	562	0	18	87					

1	2	3	4	5	1	2	3	4	5
	391	0	98	40	बाँझुरी	450	0	10	83
	390	0	07	50		451	1	07	59
	389	0	27	60		443	0	22	60
	459	0	29	65		444	0	17	10
	388	0	04	58		445	0	13	35
	338	0	06	42		446	0	19	05
	387	0	02	30		440	0	22	05
	339	0	05	17		439	0	18	45
	386	0	06	00		438	0	18	60
	385	0	01	81		437	0	20	10
	384	0	11	51		435	0	19	95
	353	0	09	95		431	0	30	60
	354	0	03	84		428	0	27	94
	355	0	04	41		427	0	71	40
	356	0	03	16		220	0	28	65
	357	0	00	99		202	0	21	59
	358/बी	0	00	83		203	0	05	85
	351	0	13	05		201	0	14	64
	352	0	04	14		191	0	11	31
	350	0	13	52		190	0	43	68
	350	0	01	98		110	0	00	63
	370/बी	0	11	55		104	0	18	00
	360	0	17	00		105	0	34	40
	361	0	00	50		159	0	26	16
	362	0	25	55		160	0	25	58
	365	0	08	30		161	0	25	66
	363	0	21	79		163	0	17	13
	364	0	06	08		154	0	47	72
	17/2	0	30	15		141	0	94	40
	16	0	35	40	बोरखिण्ड	127	0	28	60
	18	0	10	97		128	0	33	76
	19	0	04	81	प्रगासखिण्ड	261	0	77	58
	20	0	09	72		262	0	57	64
	21	0	31	94		263	0	32	16
	22/1	0	09	50		173	0	20	25
	22/2	0	22	85		171	0	55	33
	22/3	0	14	10		293	0	21	85
	42	0	11	58		292	0	31	05
	41	0	11	70		181	1	34	60
	40	0	12	45		152	0	85	35
	39	0	08	40		224	0	72	33
	38	0	09	37	बेल	375	0	13	30
	37	0	11	47		374	0	43	80
	36	0	33	45		372	0	35	95
	106	0	36	90		368	0	29	10
	107	0	52	72		352	0	54	15
	109	1	14	97		351	0	44	57
	114/1	0	42	50		350	0	49	88
	110	0	09	00		347	0	34	50
	113	0	36	07		346	0	52	20
	115	0	23	93					
	116	0	04	20					
	99	1	92	44					

New Delhi, the 26th. May, 1994.

S.O. 1322.—Whereas it appears, to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mahul, Bombay to Manmad in the State of Maharashtra a pipeline should be laid by Bharat Petroleum Corporation Limited;

And whereas for the purpose of laying such pipeline, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of users therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, Object in writing to the acquisition of the right of user therein or Laying of the pipeline under the land to Shri A. N. Deshpande, Competent Authority, Bombay-Manmad Pipeline Project, Bharat Petroleum Corporation Limited, Vasant Market, Canada Corner, Nasik (Maharashtra)-400002.

SCHEDULE

Tehsil : Sinnar District : Nasik State : Maharashtra

Name of Village	Survey No./Gat. No.	Area		
		Hec-tare	Are	Centiare

1	2	3	4	5
Hiwargaon	33	1	09	03
	34/7	0	27	32
	34/11	0	04	90
	42	0	77	67
	43/1	0	17	66
	44	0	12	84
	45	0	33	00
	46	0	24	60
	47	0	19	80
	50/1	0	20	70
	52/1	0	19	80
	53	0	20	10
	54/2	0	15	90
	55	0	04	84
	58	0	07	19
	57	0	42	30
	63/1	0	15	30
	63/2	0	07	80
	63/3	0	15	90
	64	0	58	80
	65	0	01	26
	69/1	0	19	50
	68	0	80	64
	76/3	0	04	71
Patpimpri	899/1	0	46	61
	899/3	0	11	10
	899/4	0	18	30
	901	0	11	40
	900/1	0	05	00
	900/2	0	04	60
	898	0	38	83
	894	0	12	95
	897	0	02	85

1	2	3	4	5
	895	0	21	26
	882	0	29	39
	881	0	12	00
	880	0	13	05
	879	0	37	50
	878	0	27	59
	877	0	10	01
	852	0	31	20
	851	0	36	30
	848	0	12	30
	812	0	04	88
	809	0	15	03
	808	0	10	86
	807	0	13	80
	806	0	09	15
	805	0	09	75
	797	0	10	20
	798	0	06	75
	799	0	36	90
	744	0	04	65
	712/3	0	03	62
	720	0	39	38
	721	0	21	11
	722	0	03	74
	719	0	01	53
	724	0	12	15
	727	0	07	35
	726	0	09	87
	733	0	08	94
	732	0	18	83
	738	0	19	95
	673/1	0	19	03
	673/2	0	15	00
	659	0	12	65
	660	0	15	72
	625/1	0	08	10
	625/2	0	17	03
	626/1	0	02	70
	626/2	0	04	20
	627	0	21	00
	632	0	07	09
	628	0	14	48
	629	0	07	05
	630	0	06	66
	619	0	07	33
	631/3	0	04	65
	618	0	02	40
	773	0	08	25
	570	0	01	43
	571	0	02	40
	574	0	30	88
	608/1	0	13	13
	608/2/1	0	33	00
	607	0	05	67
	606	0	05	05
	604/1	0	10	08
	604/2	0	23	47
	603	0	28	35
	33/1	0	15	00
	33/2	0	42	25
	33/3	0	41	25
	31/1	0	30	60
	31/2	0	06	60
	32	0	46	87
	34	0	16	23
	35	0	02	37

1	2	3	4	5	1	2	3	4	5
	45	0	72	90		906/1—2	0	25	71
	43	0	17	28		905	0	30	90
	44	0	21	26		912/2	0	57	00
	41	0	14	83	Paste	393	0	24	29
	40	0	21	30		392	0	12	22
	63/9	1	42	61		396	0	11	25
	63/5	0	06	05		397	0	15	15
	63/7	0	42	90		390	0	14	47
	63/6	0	14	49		388	0	16	27
	67	0	03	80		384	0	24	70
	68	0	17	82		385	0	03	00
	72/8	0	05	62		387	0	37	50
	71	0	28	04		401	0	37	27
	70	0	38	10		432	0	19	04
	81	0	18	89		431	0	16	80
	82/1	0	19	50		416	0	06	00
Baragaon Pimpri	741	0	72	45		415	0	14	55
	834	0	18	85		412	0	12	45
	774/1	1	20	75		451	0	32	47
	830	0	00	75		452/1	0	73	95
	829	0	11	10		473	0	57	52
	826	0	17	85		545	0	43	77
	828	0	45	30		580	0	07	59
	825	0	12	30		546	0	54	97
	865	0	22	40		547	0	13	78
	870	0	21	30		550	0	37	57
	869	0	25	67		551	0	32	69
	886	0	41	53		559/1	0	23	70
	887	0	52	30		559/2	0	11	55
						559/3	0	25	60
Maparwadi	17	0	27	75		560	0	04	68
	18	0	57	25		557	0	55	07
	21	0	27	21		562	0	18	97
	22	0	24	30	Jambgaon	230	0	02	00
	23/3	0	38	60		228	0	31	65
	23/2	0	35	30		225	0	54	90
	28	0	54	00		208	0	37	93
	27	0	36	60		209	0	02	05
	40	0	34	08		205	0	08	25
	39	1	56	07		204	0	08	25
	36	0	05	07		203	0	08	85
	37	0	73	43		202	0	14	55
	57	0	94	71		201	0	51	11
	59	0	82	87		195	0	20	43
						194	0	02	46
Malegaon	71	0	09	83		185	0	29	10
	72	0	20	00		184	0	29	48
	73	0	34	70		175	0	19	95
	74	0	08	76		178	0	38	79
	75	0	27	90		179	0	25	80
	76	0	32	70		167	0	14	55
	78/1	1	39	80		168	0	07	35
	80	0	46	90		161	0	18	78
	81	0	25	50		156	0	17	54
	83	0	14	75		159	0	10	97
	53/1	0	55	60		155	0	14	18
	53/2	0	22	00		148	0	26	25
	54	0	01	95		149	0	09	36
	50	1	39	85		135	0	06	41
						136	0	22	63
Sinnar	891/B	0	90	00		133	0	13	90
	892/A/1/10	0	33	15		132	0	08	31
	899/1	0	48	24		81	0	04	73
	899/2	0	65	00		82	0	12	90
	908/20/A+B/1	0	32	70		83	0	00	04
	907/1	0	28	90		84	0	99	46

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
	88		0	07	46																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		

[F. No. R-31015, 4/93-OR. II]

J.K. MAYALL, Under Secy.

नई दिल्ली, 26 मई, 1954

का० आ० 1323—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कारपोरेशन लिमिटेड की परिष्करण, मजदूर, मुम्बई से मतमाड, या मोट्टा स्पिरिट, उल्कण्ट क्रोसिन तेल और हाई स्पीड ऑइल के परिजहन के लिए भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइप-लाइन बिछाई जाए :

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए इन सूचना में उपायय अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अन्न, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार) का अर्जन अधिनियम, 1942 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है,

उन अनुसूची में वर्णित भूमि में दितव्य कोई व्यक्ति, भारत के राजपत्र, में यथाप्रकाशित इन अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री ए. एन. देशपाण्डे, सक्षम प्राधिकारी, मुम्बई, मतमाड पाइपलाइन परियोजना, भारत पेट्रोलियम कारपोरेशन लिमिटेड, अन्न मार्केट, कनाडा कानेर, नासिक (महाराष्ट्र) बिना कोड 422002 को कर सकेगा।

अनुसूची

सहस्रील : विफल		जिला : नासिक		राज्य : महाराष्ट्र	
गांव का नाम		खे सं.		क्षेत्र	
		हेक्टेयर		ऐरे. फ. सेंटीमिटर	
1	2	3	4	5	
महाराष्ट्र ई	182	0	71	44	
	181	0	07	20	
	180	0	41	48	
	160	0	57	13	
	162	0	86	28	
	156	0	03	15	
	156/2	0	00	30	
	156/3	0	02	85	
	163	0	13	50	
	154	0	12	30	
	153	0	07	20	
	152/1	0	04	20	
	152/2	0	04	20	
	151	0	50	59	
	150	0	01	97	
	149	0	00	07	
	148	0	37	13	
	144	0	57	98	
	137/2	0	21	85	
	136	0	17	92	
	135/बी	0	17	55	
	117/बी	0	10	80	
	117/ए/1	0	03	20	

महाराष्ट्र सरकार

संयोजक

संयोजक

117/ए/2	0	07	50
116	0	05	25
115	0	08	85
113	0	13	50
112	0	24	25
109	0	02	70
110	0	22	79
108/ए	0	38	40
108/बी	0	41	47
107	0	19	04
101	0	84	75
100	0	92	86
98/3	0	40	76
96/1	0	68	30
99/3	0	18	00
97	0	13	30
98	0	25	50
106/1	0	22	65
55	0	23	11
53	0	12	20
52	0	11	70
57	0	18	60
47	0	61	22
48	0	24	83
44	0	27	22
43	0	19	35
42	0	25	29
41	0	21	98
40	0	45	60
31	0	17	55
32/2	0	19	50
34	0	23	07
39	0	34	05
38/2	0	39	60
43	0	49	48
48/1	0	41	53
50/ए/3	0	82	75
50/ए/4	0	02	00
50/बी	0	48	00
51	0	10	24
56	0	00	20
58	0	32	87
60	0	27	00
59	0	30	75
403	0	02	10
402/1	0	07	00
402/2	0	10	88
401/1	0	04	50
401/2	0	04	98
401/3	0	09	83
401/4	0	03	93
392	0	12	14
393	0	25	65
384	0	06	28

1	2	3	4	5	1	2	3	4	
नन्दगाँव	400/1	0	00	75	नन्दगाँव	298/2	0	50	10
	394/3		06	18		296/3	0	49	95
	395	0	14	10		297/1	0	63	60
	396	0	14	35	भारतगाँव वीर	36/1	1	06	80
	382/1	0	11	10		35/1	0	56	77
	382/2	0	19	50		34/सी	0	58	95
	376/1	0	27	45		113/1	0	07	20
	374	0	72	03		113/2	0	31	40
	355/1	0	57	72		112	0	30	97
	355/2	0	02	25		111	0	17	52
	356	0	46	39		109	0	07	00
	353/2	0	10	14		107/1		13	90
	353/3	0	16	50		107/2	0	14	10
	351/1	0	25	50		107/3	0	12	60
	351/2	0	15	00		107/4	0	01	20
	350/1	0	22	95		106/1/ए	0	30	00
	348	0	01	75		106/1/सी	0	33	00
	349	0	28	95		106/1/सी	0	01	80
	337/2	0	16	14		106/1/सी	0	71	40
	331	0	17	40		106/2	0	09	80
	333	0	09	60		101/ए	0	11	10
	334	0	10	80		101/सी	0	13	50
	335/ए/1	0	14	20		101/सी	0	14	60
	335/ए/2	0	08	00		100/3	0	09	06
	101/3	0	58	38	भारतगाँव खडक	125	0	35	70
	106/2	0	33	00		126/1	0	11	17
	99/सी/1	0	02	25		127/ए	0	40	58
	99/सी/2	0	24	78		128	0	28	80
	107	0	88	29		129	0	02	25
	112/1	0	19	50		131	0	03	90
	112/2	0	25	05		123	0	32	40
	112/3	0	09	00		122/3	0	25	9
	116/2	0	13	72		119	0	14	70
	115/	0	17	62		118	0	14	70
	121	0	31	85		117	0	10	80
	122/1	0	17	65		110	0	18	87
	119/2	0	06	42		104	0	08	03
	78/1	0	26	00		103	0	13	05
	78/2	0	27	00		5/2	0	64	65
	78/3	0	19	00		3/1	0	20	55
	78/4	0	06	50		165/2	0	46	43
	78/5	0	12	30		166	0	02	50
	79/4	0	13	95		167	0	25	27
	77/ए	0	51	70		174/1	0	18	00
	76	0	41	77		174/2	0	44	17
	36	0	61	82		190	0	21	30
	40	1	08	00		447	0	34	50
	68/सी	0	23	07		443	0	14	85
	44	0	04	13		440	0	18	87
	45	0	23	50		418	0	04	50
	47/2	0	32	94		419	0	20	25
	49	0	23	07		420/ए	0	48	25
नन्दगाँव	295/3	0	00	24		421/सी	0	28	25
	295/6	0	39	83		424	0	20	25

1	2	3	4	5	1	2	3	4	
घारन खड़क	423	0	00	87	नंदुर मध्यमेश्वर	657	0	37	3
	407/ए	0	79	00		643	0	00	7
गालरबाडी	437	0	09	60		632	0	16	3
	436	0	19	27		631	0	38	5
	435	0	15	60		629	0	30	90
	434	0	14	85		630	0	43	3
	433	0	31	35		628	0	18	30
	432/2	0	20	07		627	0	46	40
	432/1	0	20	85		626	0	04	40
	431	0	22	81		625	0	46	90
	430	0	16	29		621	0	15	90
	429	0	33	19		620	0	22	90
	428	0	06	36		619	0	12	00
	426	0	16	50	कामनाथ बाडी	221	0	02	87
	425	0	18	00		160	0	35	70
	423	0	68	37		161	0	18	60
	422	0	02	56		246	0	20	25
	421/2	0	29	55		252	0	42	45
	420/1	0	15	70		253	0	09	00
	420/2	0	15	00	लारु खेडावे	306	0	25	36
	419/2	0	42	04		386	0	47	91
नंदुर मध्यमेश्वर	81/1	0	49	50		388	0	35	88
	80/2	0	23	40		385	0	00	59
	80/3	0	20	40		389	0	09	90
	80/4	0	18	00	महालक्ष्मी	666	0	18	13
	80/5	0	23	10		665	0	44	32
	80/6	0	18	60		664	0	44	17
	105	0	19	50		653	0	32	09
	143	0	00	75		652	0	48	16
	144	0	16	50		654	0	00	25
	143	0	16	80		650/1	0	59	19
	142	0	18	00		642/1	0	25	46
	141	0	28	70		502	0	08	59
	140	0	12	62		596	0	03	66
	139	0	24	10		594/1	0	15	00
	274	0	00	50		594/2	0	17	67
	276	0	25	95		593	0	31	35
	277	0	16	50		577	1	14	08
	278	0	39	70		580/1	0	22	95
	279	0	14	71		578	0	28	42
	485	0	02	72		573	0	13	43
	280	0	03	10		572	0	21	69
	484/1	0	40	50		508	0	01	68
	483	0	41	25		504	0	15	79
	500	0	40	79		505	0	20	03
	501	0	40	79		506	0	10	55
	502	0	33	60		494	0	12	00
	503	0	01	60		484	0	02	62
	699	0	04	66		483	0	01	37
	698	0	18	00		480	0	37	35
	649	0	17	85		481	0	15	71
	648	0	08	55		478	0	18	99
	646	0	16	95		479	0	33	00
	645	0	21	15					

New Delhi, the 26th May, 1994

1	2	3	4	5
महालक्ष्मी	441	0	92	59
	440	0	05	10
	448	0	38	77
	447	0	33	44
	179	0	55	05
	170	0	44	85
	166	0	00	42
	176	0	16	66
	169	0	15	30
	168	0	01	38
	155	0	42	00
	28	0	08	70
	33	0	02	72
	35	0	35	18
	36	0	16	95
	37/2	0	15	30
	39	0	19	27
	40	0	09	25
	41	0	06	60
	42	0	10	50
	46	0	24	45
	44	0	09	90
	138/ए	0	02	25
	138/बी	0	13	43
	139	0	14	15
	111	0	08	06
	110	0	07	59
	109	0	09	00
	108	0	06	60
	107	0	52	50
बीरगपुर	226	0	47	47
महाजनपुर	91	0	03	10
	88	0	48	31
	89	0	39	61
	90	0	53	78
	94	0	39	14
	95	0	32	87
	98	0	71	63
	97	0	49	55
	86	0	58	35
	65	0	04	35
	64	0	61	28
	63	0	53	13
	59	0	63	53
	57	0	22	28
	56	0	24	15
	55/1	0	01	38
	60	0	36	72

S.O. 1323.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Motor Spirit, Superior Kerosene Oil and High Speed Diesel from the Refinery of Bharat Petroleum Corporation Limited, Mahul, Bombay to Manmad in the State of Maharashtra a pipeline should be laid by Bharat Petroleum Corporation Limited;

And whereas for the purpose of laying such pipeline, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of users therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or Laying of the pipeline under the land to Shri A. N. Deshpande, Competent Authority, Bombay-Manmad Pipeline Project, Bharat Petroleum Corporation Limited, Vasant Market, Canada Corner, Nasik (Maharashtra) 422002.

SCHEDULE

Tehsil : Niphad District : Nasik State : Maharashtra

Name of Village	Survey No.	Area		
		Hectare	Are	Centiare
1	2	3	4	5
Maralgoi Khurd	182	0	71	44
	181	0	07	20
	180	0	41	48
	160	0	57	13
	162	0	86	28
	156	0	03	15
	156/2	0	00	30
	156/3	0	02	85
	163	0	13	50
	154	0	12	30
	153	0	07	20
	152/1	0	04	20
	152/2	0	04	20
	151	0	50	59
	150	0	01	97
	149	0	00	07
	148	0	37	43
	144	0	57	98
	137/2	0	21	85
	136	0	17	92
	135/B	0	17	55
	117/B	0	10	80
	117/A/1	0	03	30
	117/A/2	0	07	50
	116	0	05	25
	115	0	08	85
	113	0	13	50
	112	0	24	25
	109	0	02	70
	110	0	22	79
	108/A	0	38	40
	108/B	0	41	47
	107	0	19	04

[फाइल सं० भार-31015/5/93-ओ०भार०-II]

जे०के० मायाबा, प्रभार सचिव

1	2	3	4	5	1	2	3	4	5
Maralgor Budruk	101	0	86	75		333	0	09	60
	100	0	92	86		334	0	10	80
	96/3	0	40	76		335/A/1	0	14	20
	96/1	0	68	30		335/A/2	0	08	00
	99/3	0	18	00		101/3	0	58	38
	97	0	13	30		106/2	0	33	00
	98	0	25	50		99	0	02	25
	106/1	0	22	65		99	0	24	78
	55	0	23	11		107	0	88	29
	53	0	12	20		112/1	0	19	50
	52	0	11	70		112/2	0	25	05
	57	0	18	60		112/3	0	09	00
	47	0	61	22		116/2	0	13	72
	48	0	24	83		115	0	17	62
	44	0	27	22		121	0	31	85
	43	0	19	35		122/1	0	17	65
	42	0	25	29		119/2	0	06	42
	41	0	21	98		78/1	0	26	00
	40	0	45	60		78/2	0	27	00
						78/3	0	19	00
						78/4	0	06	50
						78/5	0	12	30
						79/4	0	13	95
						77/A	0	51	70
						76	0	41	77
						36	0	61	82
						40	1	08	00
						68/C	0	23	07
						44	0	04	13
						45	0	23	50
						47/2	0	32	94
						49	0	23	07
Golegaon	31	0	17	55					
	32/2	0	19	50					
	34	0	23	07					
	39	0	34	05					
	38/2	0	39	60					
	43	0	49	48					
	49/1	0	41	55					
	50/A/3	0	82	75					
	50/A/4	0	02	00					
	50/B	0	48	00					
	51	0	10	24					
	56	0	00	20					
	58	0	32	87					
	60	0	27	00					
	59	0	30	75					
Dongeragon	403	0	02	10					
	402/1	0	07	00					
	402/2	0	10	88					
	401/1	0	04	50					
	401/2	0	04	98					
	401/3	0	09	83					
	401/4	0	05	93					
	392	0	12	14					
	393	0	25	65					
	384	0	06	28					
	400/1	0	00	75					
	394/3	0	06	18					
	395	0	19	10					
	396	0	14	35					
	382/1	0	11	10					
	382/2	0	19	50					
	376/1	0	27	45					
	374	0	72	03					
	355/1	0	57	72					
	355/2	0	02	25					
	356	0	46	39					
	353/2	0	10	14					
	353/3	0	16	50					
	351/1	0	25	50					
	351/2	0	15	00					
	305/1	0	22	95					
	348	0	01	75					
	349	0	28	95					
	337/2	0	16	14					
	331	0	17	40					
					Nandgaon	295/3	0	00	24
						295/6	0	39	83
						296/2	0	50	10
						296/3	0	49	95
						297/1	0	63	60
					Dharangaon Veer	36/1	1	06	80
						35/1	0	56	77
						34/B	0	58	95
						113/1	0	07	20
						113/2	0	31	40
						112	0	30	97
						111	0	17	52
						109	0	07	00
						107/1	0	15	90
						107/2	0	14	10
						107/3	0	12	60
						107/4	0	01	20
						106/1/A	0	30	00
						106/1/B	0	33	00
						106/1/C	0	01	80
						106/1/D	0	71	40
						106/2	0	09	80
						101/A	0	11	10
						101/B	0	13	50
						101/C	0	14	60
						100/3	0	09	60
					Dharangaon Khadak	125	0	35	70
						126/1	0	11	17
						127/A	0	40	58
						128	0	28	80
						129	0	02	25
						131	0	03	90

1	2	3	4	5	1	2	3	4	5	
Dharangaon Khadak (Contd.)	123	0	32	40	Nandur Madhyameshwar (Contd.)	280	0	03	10	
	122/3	0	25	95		484/1	0	40	58	
	119	0	14	70		483	0	41	25	
	118	0	14	70		500	0	40	79	
	117	0	10	80		501	0	40	79	
	110	0	18	75		502	0	33	60	
	104	0	08	03		503	0	01	61	
	103	0	13	05		699	0	04	66	
	5/2	0	64	65		698	0	18	00	
	3/1	0	29	55		649	0	17	85	
	165/2	0	46	43		648	0	08	55	
	166	0	02	50		644	0	16	95	
	167	0	25	27		645	0	21	15	
	174/1	0	18	00		657	0	37	37	
	174/2	0	44	17		643	0	00	77	
	190	0	21	30		632	0	16	30	
	447	0	34	50		631	0	38	55	
	443	0	14	85		629	0	30	90	
	440	0	18	97		630	0	43	35	
	418	0	04	50		628	0	18	30	
	419	0	20	25		627	0	46	43	
	420/A	0	48	25		626	0	04	40	
	421/B	0	28	25		625	0	46	95	
	424	0	20	25		621	0	15	96	
	423	0	00	07		620	0	22	90	
	407/A	0	79	00		619	0	12	00	
	Gajarwadi	437	0	09		60	Khangaon Thadi	221	0	02
436		0	19	27	160	0		35	70	
435		0	15	60	161	0		18	60	
434		0	14	85	246	0		20	25	
433		0	31	35	252	0		42	45	
432/2		0	20	07	Taru Khedale	253	0	09	00	
432/1		0	20	85		306	0	25	35	
431		0	22	81		386	0	47	91	
430		0	16	29		388	0	35	88	
439		0	33	19		385	0	00	59	
428		0	06	36	Mhaksakore	389	0	09	90	
426		0	16	50		666	0	19	13	
425		0	18	00		665	0	44	32	
423		0	68	37		664	0	44	17	
422		0	02	56		653	0	32	09	
421/2		0	29	55		652	0	48	16	
402/1		0	15	70		654	0	00	25	
420/2		0	15	00		650/1	0	59	19	
419/2		0	42	04		642/1	0	25	46	
Nandur Madhyameshwar		81/1	0	49		50	502	0	08	59
		80/2	0	23		40	596	0	03	66
		80/3	0	20		40	594/1	0	15	00
		80/4	0	18		00	594/2	0	17	67
		80/5	0	23		10	593	0	31	35
		80/6	0	18		60	577	1	14	08
		105	0	19		50	580/1	0	22	95
		145	0	00		75	578	0	28	42
	144	0	16	50	573	0	13	43		
	143	0	16	80	572	0	21	69		
	142	0	18	00	508	0	01	68		
	141	0	28	70	504	0	15	79		
	140	0	12	62	505	0	20	03		
	139	0	24	10	506	0	10	55		
	274	0	00	50	494	0	12	00		
	276	0	25	95	484	0	02	62		
	277	0	16	50	483	0	01	37		
	278	0	39	70	480	0	37	35		
	279	0	14	71	481	0	15	71		
	485	0	02	72	478	0	18	99		
					479	0	33	00		

1	2	3	4	5
Mhaisakore (Contd.)	441	0	92	59
	440	0	05	10
	448	0	38	77
	447	0	33	44
	179	0	55	05
	170	0	44	85
	166	0	00	42
	176	0	16	66
	169	0	15	30
	168	0	01	38
	155	0	42	00
	28	0	08	70
	33	0	02	72
	35	0	35	18
	36	0	16	95
	37/2	0	15	30
	39	0	19	27
	40	0	09	25
	41	0	06	60
	42	0	10	50
	46	0	24	45
	44	0	09	90
	138/A	0	02	25
	138/B	0	13	43
	139	0	14	15
	111	0	08	06
	110	0	07	59
	109	0	09	00
	108	0	06	60
	107	0	52	50
Aurangpur	226	0	47	47
Mahajanpur	91	0	03	10
	88	0	48	31
	89	0	39	61
	90	0	53	78
	94	0	39	14
	95	0	32	87
	98	0	71	63
	97	0	49	65
	66	0	58	35
	65	0	04	35
	64	0	61	28
	63	0	53	13
	59	0	63	53
	57	0	22	28
	56	0	24	15
	55/1	0	01	38
	60	0	36	72

[F. No. R-31015/5/93-OR.III]
J.K. MAYALL, Under Secy.

नई दिल्ली, 26 मई, 1984

का.मा. 1324--केन्द्रीय सरकार को यह प्रतीत होता है कि लोक, हित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कारपोरेशन लिमिटेड की परिष्करण, 'माहुल, मुम्बई से मममाड तक सीटर स्विचरिट, उल्लुष्ट किरोसीन तेल और हाई स्पीड डीजल के परिष्करण के लिए भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसी पाइपलाइन बिछाने के प्रयोजनों के लिए हस्त प्रविष्टता से उपानयन अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में-उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार का अर्जन करने के अपने प्राप्ति की घोषणा करती है:

उक्त अनुसूची में वर्णित भूमि में हितवन्त कोई व्यक्ति, भारत के राजपत्र में असाप्रकाशित हस्त प्रविष्टता की प्रतियां साधारण जनता की उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री ए. एन. वेमवाडे, सक्षम प्राधिकारी, मुम्बई-मममाड पाइपलाइन परियोजना, भारत पेट्रोलियम कारपोरेशन लिमिटेड, बसंत मार्केट, कलाहा कानंद, नासिक (महाराष्ट्र) पिन कोड 422002 को कर सकेगा।

अनुसूची

तहसील: इंदूरपुरी,	जिला--नासिक	राज्य--महाराष्ट्र		
नाम का नाम	मर्बे नं.	खेज		
			दुफ्टर एरे	सैटोएरे
1	2	3	4	5
पिपलबाग	394	0	07	80
बडगा	383	0	66	15
	382	0	07	21
	381	0	26	55
	212	0	66	30
	311	0	11	35
	318	0	16	40
	519	0	12	14
	920	0	13	08
	307	0	51	00
	288	0	05	25
	306	0	11	23
	292	0	18	00
	291/बो	0	18	55
	233	0	06	50
	234/ए	0	20	19
	229	0	02	17
	222	0	21	07
	223	0	25	80
	215	0	34	65
	168/बो	0	02	00
	106/मो	1	14	55
	106/ए	0	26	10
	105/बो	0	48	30
	105/सो	0	28	40
बेलगांव सरहाले	677	0	07	50
	676	0	10	20
	675	0	09	86
	673	0	12	60
	670	0	08	70
	671	0	20	25
	662	0	26	70

1	2	3	4	5	1	2	3	4	5
बेलगाँव तहसीले-जारी	661	0	12	50		33	0	15	30
	660	0	32	05		32	0	20	52
	709	0	45	59		30	0	22	35
	711	0	18	71	विपसगाँव मोर	425	0	61	80
	710	0	00	11		426	0	14	10
	712/ए	0	34	00		424	0	49	25
	712/बी	0	33	90		423	0	16	05
	503	0	55	32		428	0	31	05
	482	0	05	14		429	0	43	50
	481	0	01	02		430	0	08	55
	484	0	43	23		382	0	02	25
	459	0	01	12		381	0	23	07
	492	0	14	25		378	0	64	16
	495/1	0	13	94		458	0	22	56
	491	0	26	37		377	0	01	50
	411	0	35	96		459	0	23	11
	410	0	41	55		365	0	54	81
	413	0	10	35		362	0	01	01
	105	0	23	04		366	0	04	20
	108	0	05	25		360	0	22	35
	101	0	12	90		315	0	15	90
	121	0	05	57		316	0	07	80
	122	0	06	19		338	0	09	72
	123	0	10	41		336	0	13	50
	124	0	09	30		335	0	01	90
	125	0	39	55		339	0	00	26
	154	0	09	15		331/1	0	40	00
	155	0	35	17		332	0	02	50
	158/2	0	19	35		334	0	08	98
	153	0	03	25		308	0	03	00
	157	0	12	27		307	0	01	50
	158	0	30	10		27	0	42	60
	159	0	03	75		28	0	61	50
	161	0	21	00		35	0	28	50
	162	0	15	90		34	0	19	65
	200	0	13	90		32	0	02	04
	163	0	16	20		83	0	60	15
	197	0	08	40		80	0	21	18
	196	0	23	83		75	0	12	70
	243	0	31	20		76	0	31	05
	246	0	15	50		70	0	54	45
	184	0	01	12		120	0	13	75
	183	0	54	00		121	0	32	75
	191	0	88	00		69	0	18	90
					कमारे	167	0	63	18
बसगाँव	358	0	22	50		169	0	21	20
	367	0	39	90		170	0	15	60
	359	0	64	04		171/2	0	09	90
	72	0	41	46		173	0	48	93
	43	0	10	61		175	0	53	45
	42	0	17	74		143	0	18	58
	41/2	0	13	65		142	0	28	05
	37	0	50	39		141	0	39	57
	35	0	15	09		135	0	19	38
						136/1	0	59	35

1	2	3	4	5	1	2	3	4	5
बेनील	462	0	04	90		604	0	12	04
	461	0	19	00		605	0	01	62
	463	0	17	25	शेवाह बंदरुक	731	0	27	75
	464	0	08	63		730	0	14	10
	460	0	26	28		729	0	09	75
	466	0	22	75		728	0	11	10
	467	0	01	32		725	0	29	45
	470	0	11	87		726	0	08	94
	471	0	38	33		743	0	35	65
	446	0	16	20		742	0	05	40
	445	0	15	60		749	0	24	90
	441	0	33	70		737	0	02	73
	442	0	05	25		736	0	12	90
	329	0	21	78		764	0	25	19
	297	0	10	88		766	0	02	79
	328	0	04	25		765	0	03	12
	298	5	08	10	कंचनगाँव	271	0	06	82
	300	0	02	00		272	0	00	32
	301	0	01	50		270	0	27	25
	302	0	00	03		268	0	41	65
	324	0	13	75		269	0	06	65
	323	0	27	58		266	0	14	70
	304	0	30	00		265	0	26	62
	306	0	05	65		282	0	32	21
	305	0	11	25		285/7	0	49	68
	283	0	33	93		286	0	28	85
	284	0	04	90		291	0	70	73
	274	0	06	50		294	0	22	80
	273	0	24	90		307	0	00	24
	263	0	13	60		309	0	18	00
	266	0	10	50		308	0	03	60
	265	0	14	00		304	0	02	86
	264	0	08	40		310	0	08	11
	267	0	09	88		318	0	11	40
	246	0	10	50		312	0	52	50
	249	0	02	50		330	0	21	60
	250	0	42	35		334/बो	0	07	50
	248	0	02	00		379	0	01	30
	229	0	45	65		374	0	13	50
	223	0	57	60		375	0	10	20
	231	0	32	97		386	0	10	80
खैर गाँव	577	0	24	50		385	0	07	46
	576	0	24	42		392	0	17	40
	564	0	01	50		390	5	12	30
	565	0	01	14		396	0	12	37
	570	0	16	05		397	0	22	79
	568	0	02	81		418	0	54	00
	569	0	23	67		417	0	43	80
	555	0	05	89		409	0	00	13
	595	0	17	80	मलौष	458	0	11	00
	596	0	45	29		793	0	38	76
	600	0	06	90		792	0	01	50
	601	0	08	40		791	0	02	09
	603	0	12	60					

1	2	3	4	5
सकीय-पारी	789	0	02	63
	788	0	55	33
	854	0	12	95
	852	0	13	60
	851	0	08	00
	849	0	03	95
	948	0	01	09
	832	0	09	25
	831	0	02	25
	827	0	09	00
	828	0	05	50
	895	0	08	50
	890	0	03	50
	894	0	17	85
	893	0	12	60
	908	0	02	50
	905	0	00	86
	904	0	21	01
	908	0	11	01
	907	0	16	25
	913	0	16	57
	915	0	17	60
	916	0	04	75
	914/र	0	12	84
	917/ए	0	06	00
	922	0	14	70
	919	0	16	65
सकीय	440	0	16	82
	441	0	08	94
	442	0	10	44
	443	0	01	27
	446	0	17	87
	447	0	04	14
	453	0	14	41
	458/ए	0	13	96
	459	0	01	55
	460	0	32	40
	541	0	05	25
	542	0	37	75
	543	0	35	70
	550	0	09	60
	549	0	02	42
	551	0	18	00
	552	0	07	80
	553	0	09	00
	554	0	15	55
	555	0	11	25
	536	0	00	60
	559	0	08	62
	565	0	04	50
	568	0	26	88
	567	0	00	75
	572	0	17	86
	571	0	14	25

1	2	3	4	5
	574	0	02	24
	575	0	04	00
	576	0	44	58
	570	0	07	50
	631/ए	0	15	45
	602	0	21	65
	603	0	03	75
	608	0	16	50
	605	0	19	05
	609	0	00	18
	169	0	01	69
	170	0	10	50
	168	0	12	00
	150	0	08	94
	147	0	23	75
	149	0	03	79
	148	0	33	50
	142	0	20	64
	138	0	40	50
	137/	0	17	40
पिपरी मदनसिंह	514	0	27	60
	515	0	32	45
	516	0	42	15
	544	0	22	80
	547	0	06	75
	548	0	16	00
	549	0	17	85
	572	0	36	18
	571	0	11	71
	574	0	12	00
	573	0	02	34
	575	0	31	13
	576	0	12	15
	561	0	00	62
	510	0	27	13
	618	0	02	15
	611	0	51	45
	610	0	28	80
	629	0	16	20
	630	0	37	20
	627	0	51	60
	302	0	03	35
	636	0	21	21
	132	0	37	90
	333	0	04	50
	328/1	0	65	70
	307	0	00	42
	309	0	16	80
	298	0	19	20
	296	0	14	27
	297	0	06	70
	293	0	11	12
	295	0	09	00
	294	0	13	62

1	2	3	4	5	1	2	3	4	5
					बोरली	179	0	03	21
पिपरी सदरोद्दिन	285	0	07	57		178	0	34	05
	273	0	06	60		187	0	12	88
	272	0	15	30		200	0	05	83
						199	0	15	78
	263	0	27	90		198	0	18	90
	270	0	03	00		194	0	12	15
	264	0	18	20		435	0	42	99
	262	0	01	42		425	0	01	70
	261	0	10	50		426	0	04	80
	265	0	08	02		428	0	00	72
	266	0	00	87		42	0	04	26
	259	0	02	52		434	0	12	58
	255	0	24	65		433	0	07	22
	245	0	04	50		432	0	06	75
	227	0	15	90		431	0	06	37
	234	0	00	50		430	0	16	19
	233	0	08	17		55	0	02	33
	229	0	17	25		56	0	04	68
	230	0	02	75		57	0	09	05
	209	0	47	85		58	0	05	04
	211	0	15	00		367	0	20	59
	210	0	02	85		259	0	31	18
	52	0	21	00		356	0	13	31
	202	0	05	25		330	0	50	35
	201	0	07	50		262	0	01	81
	200	0	08	40		361	0	08	55
	199	0	09	30		355	0	24	75
	56/9	0	21	03		354	0	02	38
	58	0	12	00		355	0	16	11
	59	0	12	10		336	0	48	46
	65	0	25	50		346	0	01	37
	189	0	26	75		326	0	70	00
	188	0	60	00	[फाइल सं. आर-31015/5/93-अ.प्रार.-II]				
	174	0	07	31	जे. के. मायाज. आर. सविज				
	186/11	0	01	43	New Delhi, the 26th May, 1994				
	175	0	12	95	S.O. 1324.—Whereas it appears to the Central Government				
	176	0	09	00	that it is necessary in the public interest that for the trans-				
	177	0	10	35	port of Motor Spirit, Superior Kerosene Oil and High Speed				
	169	0	02	25	Diesel from the Refinery of Bharat Petroleum Corporation				
	178	0	13	00	Limited, Mahul, Bombay to Manmad in the State of Maha-				
	176	0	11	25	rashtra a pipeline should be laid by Bharat Petroleum Cor-				
	168	0	04	00	poration Limited;				
	167	0	09	05	And whereas for the purpose of laying such pipeline, it is				
बोरली	166	0	17	55	necessary to acquire the right of user in the lands described				
	167	0	18	37	in the Schedule annexed to this notification;				
	173	0	27	22	Now, therefore, in exercise of the powers conferred by				
	174	0	03	11	sub-section (1) of section 3 of the Petroleum and Minerals				
	172	0	22	82	Pipelines (Acquisition of Right of User in Land) Act, 1962				
	175	0	25	50	(50 of 1962) the Central Government hereby declares its				
					intention to acquire the right of users therein;				
					Any person interested in the land described in the said				
					Schedule may within 21 days from the date on which the				
					copies of the notification, as published in the Gazette of				
					India, are made available to the general public, object in				
					writing to the acquisition of the right of user therein on				
					Laying of the pipeline under the land to Shri A. N. Desh-				
					pande, Competent Authority, Bombay-Manmad Pipeline Pro-				
					ject, Bharat Petroleum Corporation Limited, Vasant Market,				
					Canada Corner, Nasik (Maharashtra) 422002.				

SCHEDULE					1	2	3	4	5
Tehsil : Igatpuri	District : Nasik	State : Maharashtra.			Balgaon Tarhale	124	0	09	30
Name of Village	Survey No.	Area				125	0	39	55
		Hect-	Are	Centi-		154	0	09	15
		are		are		155	0	35	17
1	2	3	4	5		156/2	0	19	35
Pimpalgaon	394	0	07	80		153	0	03	25
Ghadga	383	0	66	15		157	0	12	27
	382	0	07	21		158	0	30	10
	381	0	26	55		159	0	03	75
	312	0	66	30		161	0	21	00
	311	0	11	55		162	0	15	90
	318	0	16	40		200	0	12	90
	319	0	12	14		163	0	16	20
	320	0	13	08		197	0	08	40
	307	0	51	00		196	0	23	85
	288	0	02	25		245	0	31	50
	306	0	11	25		246	0	15	20
	292	0	18	00		194	0	01	12
	291/B	0	18	35		193	0	54	00
	233	0	06	50		191	0	88	00
	234/A	0	20	19	Dhmani	358	0	22	50
	229	0	02	17		367	0	39	90
	222	0	21	07		359	0	64	04
	223	0	25	80		72	0	41	46
	215	0	34	65		43	0	10	61
	168/B	1	02	00		42	0	17	74
	106/C	0	14	55		41/2	0	13	65
	106/A	0	26	10		37	0	50	39
	105/D	0	48	30		35	0	15	09
	105/C	0	28	40		33	0	15	30
Belgaon Tarhale	677	0	07	50	Pimpalgaon Mor	32	0	20	52
	676	0	10	20		30	0	22	35
	675	0	09	86		425	0	61	80
	673	0	12	60		426	0	14	10
	670	0	08	70		424	0	49	25
	671	0	20	25		423	0	16	05
	662	0	26	70		428	0	31	05
	661	0	12	30		429	0	43	50
	660	0	32	05		439	0	08	55
	709	0	45	59		382	0	02	25
	711	0	18	71		381	0	23	67
	710	0	00	31		378	0	64	16
	712/A	0	34	00		458	0	22	56
	712/B	0	33	90		377	0	01	50
	503	0	55	32		459	0	23	11
	482	0	03	14		365	0	54	81
	481	0	01	02		362	0	01	01
	484	0	43	23		366	0	04	20
	459	0	01	12		360	0	22	35
	492	0	14	25		315	0	15	90
	495/1	0	13	94		316	0	07	80
	491	0	26	37		338	0	09	72
	411	0	33	96		336	0	13	50
	410	0	41	55		335	0	01	90
	413	0	10	35		339	0	00	26
	105	0	23	04		333/1	0	40	00
	106	0	05	25		332	0	02	50
	101	0	12	90		334	0	08	98
	121	0	05	57		308	0	03	00
	122	0	06	19		307	0	01	50
	123	0	10	41					

1	2	3	4	5	1	2	3	4	5
Pimpalgaon Mor	27	0	42	60	Khairgaon	595	0	17	80
	28	0	61	50		596	0	45	39
	35	0	28	50		600	0	06	90
	34	0	19	65		601	0	08	40
	32	0	02	04		603	0	12	60
	83	0	60	15		604	0	12	04
	80	0	21	18		605	0	01	62
	75	0	12	70	Shenwad Budruk	731	0	27	75
	76	0	31	05		730	0	14	10
	70	0	54	45		729	0	09	75
	120	9	13	75		728	0	11	10
	121	0	32	75		725	0	29	45
	69	0	18	90		726	0	08	94
Ubhade	167	0	63	18		743	0	35	65
	169	0	21	20		742	0	05	40
	170	0	15	60		749	0	24	90
	171/2	0	09	90		737	0	02	75
	461	0	19	00		736	0	12	90
	463	0	17	25		764	0	25	19
	464	0	08	63		766	0	02	79
	460	0	26	28		765	0	03	12
	466	0	22	75	Kanchangaon	271	0	06	82
	467	0	01	32		272	0	00	32
	470	0	11	87		270	0	27	25
	471	0	38	33		268	0	41	65
	446	0	16	20		269	0	06	65
	445	0	15	60		266	0	14	70
	441	0	33	70		265	0	26	62
	442	0	05	25		282	0	32	21
	329	0	21	78		285/A	0	49	68
	297	0	10	88		286	0	28	85
	328	0	04	25		291	0	70	75
	298	0	08	10		264	0	22	80
	300	0	02	00		307	0	00	24
	301	0	01	50		309	0	18	00
	302	0	00	03		308	0	03	60
	324	0	13	75		304	0	02	86
	323	0	27	38		310	0	08	11
	304	0	30	00		318	0	11	40
	306	0	05	65		312	0	52	50
	305	0	11	25		330	0	21	60
	283	0	33	93		334/B	0	07	50
	284	0	04	90		379	0	01	30
	274	0	06	50		374	0	13	50
	273	0	24	90		375	0	10	20
	263	0	13	60		386	0	10	80
	266	0	10	50		385	0	07	46
	265	0	14	00		392	0	17	40
	264	0	08	40		390	0	12	30
	267	0	09	88		396	0	12	37
	246	0	10	50		397	0	22	79
	249	0	02	50		418	0	54	00
	250	0	42	35		417	0	43	80
	248	0	02	00		409	0	00	13
	229	0	45	65					
	233	0	57	60	Talagh	458	0	11	00
	231	0	32	97		793	0	38	76
						792	0	01	50
						791	0	02	09
						789	0	02	63
						788	0	55	33
						854	0	12	95
						852	0	13	60
						851	0	08	00
						849	0	03	95
Khairgaon	577	0	24	50					
	576	0	24	42					
	564	0	01	50					
	565	0	01	14					
	570	0	16	05					
	568	0	02	81					
	569	0	22	67					
	555	0	05	89					

	1	2	3	4	5		1	2	3	4	5
		848	0	01	09			609	0	00	16
		832	0	09	25			169	0	01	69
		831	0	02	25			170	0	10	50
		827	0	09	00			168	0	12	00
		828	0	05	50			150	0	08	94
		895	0	08	50			147	0	23	75
		890	0	03	50			149	0	03	79
		894	0	17	85			148	0	33	50
		893	0	12	60			142	0	20	64
		908	0	02	50			138	0	40	50
		905	0	00	86			137/A	0	17	40
		904	0	21	01			514	0	27	60
		906	0	11	01	Pimpri Sadroddin		515	0	32	45
		907	0	16	25			516	0	42	15
		913	0	16	57			544	0	22	80
		915	0	17	60			547	0	06	75
		916	0	04	75			548	0	18	00
		914/B	0	12	84			549	0	17	85
		917/A	0	06	00			572	0	36	18
		922	0	14	70			571	0	11	71
		919	0	16	65			574	0	12	00
Taloshi		440	0	16	82			573	0	02	34
		441	0	08	94			575	0	31	13
		442	0	10	44			576	0	12	15
		443	0	01	27			561	0	00	63
		448	0	17	87			510	0	27	13
		447	0	04	14			618	0	02	25
		453	0	14	41			611	0	31	45
		458/A	0	13	96			610	0	28	80
		459	0	01	25			629	0	16	20
		460	0	32	40			630	0	37	20
		541	0	05	75			637	0	51	60
		542	0	37	75			302	0	03	35
		543	0	35	70			636	0	21	21
		550	0	09	60			332	0	37	90
		549	0	02	42			333	0	04	50
		551	0	18	00			328/1	0	65	70
		552	0	07	80			307	0	00	42
		553	0	09	00			309	0	16	80
		554	0	15	55			298	0	19	20
		555	0	11	25			296	0	14	27
		538	0	00	60			297	0	06	70
		569	0	08	62			293	0	11	32
		563	0	04	50			295	0	09	00
		568	0	26	88			294	0	13	62
		567	0	00	25			285	0	07	57
		572	0	17	86			273	0	06	60
		571	0	14	85			272	0	15	30
		574	0	02	24			263	0	27	90
		575	0	04	00			270	0	03	00
		576	0	44	58						
		577	0	07	50						
		631/A	0	15	45						
		602	0	21	65						
		603	0	03	75						
		608	0	16	50						
		605	0	19	05						

1	2	3	4	5	1	2	3	4	5
	264	0	18	30		42	0	04	26
	262	0	01	42		434	0	12	58
	261	0	10	50		433	0	07	22
	265	0	08	02		432	0	06	75
	266	0	00	87		431	0	06	37
	259	0	02	52		430	0	16	19
	255	0	24	65		55	0	02	33
	235	0	04	50		56	0	04	68
	227	0	15	90		57	0	09	05
	234	0	00	50		58	0	05	04
	233	0	08	17		367	0	20	59
	229	0	17	25		359	0	31	18
	230	0	02	75		366	0	13	31
	209	0	47	85		360	0	50	35
	211	0	15	00		262	0	01	18
	210	0	02	85		361	0	08	55
	52	0	21	00		355	0	24	75
	202	0	05	25		354	0	02	38
	201	0	07	50		353	0	16	11
	200	0	08	40		336	0	48	46
	199	0	09	30		346	0	01	37
	56/A	0	21	03		326	0	70	00
	58	0	12	00	[F. No. R.-31015/6/93-OR II] J.K. MAYALL Under Secy.				
	59	0	12	10					
	65	0	25	50	स्वास्थ्य और परिवार कल्याण मंत्रालय				
	189	0	26	75	नई दिल्ली, 17 मई, 1994				
	188	0	60	00	का.श्रा.1325.—केन्द्रीय सरकार, होम्योपैथी केन्द्रीय				
	174	0	07	31	परिषद् अधिनियम, 1973 (1973 का 59) की धारा				
	186/A	0	01	43	13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते				
	175	0	12	95	हुए केन्द्रीय होम्योपैथी परिषद् से परामर्श करने के पश्चात्				
	176	0	09	00	उक्त अधिनियम की वित्तीय अनुसूची में निम्नलिखित				
	177	0	10	35	और संशोधन करती है, अर्थात् :—				
	169	0	02	25	उक्त अनुसूची में केरल शीर्षक के नीचे क्रम सं. 9ख				
	178	0	13	00	और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम				
	176	0	11	25	संख्यांक और प्रविष्टियां अंतःस्थापित की जायेंगी अर्थात् :—				
	168	0	04	00					
	167	0	09	05					
Borli	166	0	17	55	1	2	3	4	
	167	0	18	37	७ग. महात्मा गांधी बैचलर इन बी एच एमएस 1989 से				
	173	0	27	23	विश्वविद्यालय होम्योपैथी 1990 तक				
	174	0	03	11	(क) अतुर- मेडिसन एंड				
	172	0	22	82	सरामम् (एन सर्जरी				
	175	0	25	50	एस एस) होम्योपैथिक				
	179	0	08	21	मेडिकल कालेज,				
	178	0	34	05	कोट्टायम				
	187	0	12	88					
	200	0	05	83					
	199	0	15	78					
	198	0	18	90					
	194	0	12	15					
	435	0	42	99					
	425	0	01	70					
	426	0	04	80					
	428	0	00	72					

[संख्या बी. 27021/24/88-होमियो]

बी.सी. महेता, डैस्क अधिकारी (होमियो)

पाद टिप्पण : मूल अधिसूचना, भारत के राजपत्र, असाधारण,
भाग-2, खंड-1, का.श्रा. सं. 76 में तारीख
20 दिसम्बर, 1973 द्वारा प्रकाशित की गई

श्री और बाद में उसका निम्नलिखित द्वारा
संशोधन और भारत के राजपत्र, भाग-II,
खंड-3, उपखंड(ii) में प्रकाशित किया गया :—

का.आ. 3325, तारीख 4-11-1978

का.आ. 1517, तारीख 26-2-1983

का.आ. 1481, तारीख 12-3-1983

का.आ. 3099, तारीख 21-6-1985

का.आ. 2048, तारीख 24-3-1986

का.आ. 2270, तारीख 24-5-1986

का.आ. 2249, तारीख 1-8-1990

का.आ. 2501, तारीख 1-8-1990

का.आ. 2502, तारीख 21-8-1990

का.आ. 710, तारीख 20-2-1992

का.आ. 891, तारीख 5-3-1992

का.आ. 1210, तारीख 23-4-1992 और

का.आ. 978, तारीख 28-4-1993

MINISTRY OF HEALTH & FAMILY WELFARE

New Delhi, the 17th May, 1994

S.O. 1325.—In exercise of the powers conferred by sub-section (2) of section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby makes the following further amendment in the Second Schedule of the said Act, namely :—

In the said Schedule, under the Heading “KERALA” after Serial Number 98 and the entries relating thereto, the following serial number and entries shall be inserted, namely :—

1	2	3	4
“9C Mahatma Gandhi University (a) Athurasraman N.S.S. Homoeopathic Medical College, Kottayam.	Bachelor in Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1989 to 1990”

[No. V-27021/24/88-Homoeo.]

B.C. MEHTA, Desk Officer
(Homoeo)

Foot Note: The Principal Notification was published in No. S.O. 76 dated the 20th December, 1973 in Gazette of India—Extra-ordinary Part II Section 3(ii) and subsequently amended vide :—

S.O. 3325 dated 4-11-1978

S.O. 1517 dated 26-2-1983

S.O. 1481 dated 12-3-1983

S.O. 3099 dated 21-6-1985

S.O. 2048 dated 24-3-1986

S.O. 2270 dated 24-5-1986

S.O. 2449 dated 1-8-1990

S.O. 2501 dated 1-8-1990

S.O. 2502 dated 21-8-1990

S.O. 710 dated 20-2-1992

S.O. 891 dated 5-3-1992

S.O. 1210 dated 23-4-1992

S.O. 978 dated 28-4-1993

शहरी विकास मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 16 मई, 1994

का.आ. 1326—यतः निम्नांकित क्षेत्रों के बारे में कतिपय संशोधन, जिन्हें केन्द्र सरकार अधोवर्णित क्षेत्रों के बारे में दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जिसे दिल्ली विकास अधिनियम, 1956 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 10-8-91 के नोटिस संख्या एफ-3(122) 77-एम पी द्वारा प्रकाशित किये गये थे जिसमें उक्त अधिनियम की धारा 11-ए की उपधारा (3) में अपेक्षित आपत्तियों/सुझाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किये गये थे।

और यतः प्रस्तावित संशोधनों के बारे में कोई आपत्तियां और सुझाव जनता से प्राप्त नहीं हुए हैं, अतः केन्द्र सरकार ने दिल्ली बृहद योजना/क्षेत्रीय विकास योजना में संशोधन करने का निर्णय किया है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 11-ए की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बृहद योजना में एतद्द्वारा निम्नलिखित संशोधन करती है।

संशोधन :—

“उप-क्षेत्र डी-2 (माता सुन्दरी क्षेत्र) में पड़ने वाले और उत्तर में मुख्य योजना मनोरंजनात्मक क्षेत्र से घिरे, दक्षिण-पूर्व में 15 मीटर (50') मार्गाधिकार मार्ग से घिरे, पुलिस मुख्यालय/दिल्ली प्रशासन कार्यालय भवन से घिरे लगभग 1672-25 वर्ग मीटर (2000 वर्ग गज) क्षेत्र के भूमि उपयोग को “भरकारी” से “सार्वजनिक एवं अर्ध-पार्वजनिक सुविधाओं” (शिक्षा एवं अनुसंधान) में परिवर्तित किया जाता है।”

[सं. के-13011(16)/79-डी.डी. IIए/5ए/1बी]

एस.सी. सागर, अवसर सचिव

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

New Delhi, the 16th May, 1994

S.O. 1326.—Whereas certain modifications, which the Central Government proposed to make in the Master Plan for Delhi/Zonal Development Plan regarding the areas mentioned hereunder were published with Notice No. F. 3(122)77-MP dated 10-8-91 in accordance with the provisions of section 44 of the Delhi Development Act, 1956 (61 of 1957) inviting objections/suggestions, as required by Sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice,

And whereas no objections/suggestions were received from the public with regard to the said proposed modifications and whereas the Central Government have decided to modify the Master Plan for Delhi/Zonal Development Plan;

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this notification in the Gazette of India.

Modification :

“The land use of an area measuring about 1672.25 sq.mt. (2000 sq. yds.) falling in sub-zone D-2 (Mata Sundri Area) and bounded by Master Plan recreational area in the North, 15 mt. (50') R/W road in the South East and Police Head Quarter/Delhi Administration office building towards West, is changed from ‘Government’ to ‘Public and semi-public facilities’ (Education & Research).”

[No. K-13011(16)/79-DDIIA/SA/IB]

S. C. SAGAR, Under Secy.

संचार मंत्रालय

(डाक विभाग)

नई दिल्ली, 26 मई 1994

का.आ. 1327:—राजभाषा नियम (संघ के शासकीय प्रयोजनों के लिये प्रयोग) 1976 के नियम 10 के उप-नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के लक्ष्मीय डाक मंडल कार्यालय को, जिसके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11017/1/92-रा.भा.]

डा. गिरिवरधारी सिंह, निदेशक (राजभाषा)

MINISTRY OF COMMUNICATIONS

(Department of Posts)

New Delhi, the 26th May, 1994

S.O. 1327.—In pursuance of sub-Rule 4 of the Rule 10 of the Official Language (use for official purposes of the Union), Rules, 1976, the Central Government hereby notify the office of Lakshadeep Postal Division of the Department of Posts, where 80 percent of the staff acquired the working knowledge of Hindi.

[No. E-11017/1/92-OL]

[DR. G. D. SINGH, Director (OL)]

श्रम मंत्रालय

नई दिल्ली, 11 अप्रैल, 1994

का.आ. 1328 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सीनियर, डी पी ओ उत्तर रेलवे, बीकानेर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 8-4-94 को प्राप्त हुआ था।

[संख्या एल-41011/34/90-आईआर (पीएन) आईआर बी-1]

एस. एस. के. राव, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 11th April, 1994

S.O. 1328. -In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the Award of the Industrial Tribunal, Kota, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. D. P. O. Northern Railways, Bikaner and their workmen, which was received by the Central Government on the 8-4-94.

[No. L-41011/34/90-IR(DU)/IRB.I]
S. S. K. RAO, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) (कोटा) केम्प
श्रीगंगानगर, राजस्थान

निर्देश प्रकरण क्रमांक औ.न्या. (केन्द्रीय)-4/1991
दिनांक स्थापित : 20-2-91

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश
सं. एल-41011/34/90-आई आर (डी.यू.) दिनांक
15-2-91

औद्योगिक विवाद अधिनियम, 1947

मध्य

वाइस प्रेसीडेंट, रेलवे केजुअल लेबर यूनियन, बीकानेर/राज.
—प्रार्थी यूनियन

एवं

सीनियर डी.पी.ओ., उत्तर रेलवे, बीकानेर।

—प्रतिपक्षी नियोजक

उपस्थित

श्री जगदीश नारायण शर्मा,
आर.एच.जे.एस.

प्रार्थी यूनियन की ओर से

प्रतिनिधि

श्री अरविन्द सिंह सिंगार

प्रतिपक्षी नियोजक की ओर से

प्रतिनिधि

श्री ओ.एन. मूंदड़ा

(मुख्य विधि सहायक)

अधिनियम दिनांक : 5 मार्च, 1994

अधिनियम

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा औद्योगिक
विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम, 1947"
से संबोधित किया जायेगा) की धारा 10(1)(घ) व उपधारा 1
(2-क) के अन्तर्गत इस न्यायाधिकरण को अधिनियमार्थ सम्प्रेषित
किया गया है :

"Whether the action of the management of Northern Railway, Bikaner in terminating the services of the workmen mentioned in Annexure 'A' is justified ? If not, what relief the workmen concerned are entitled to ?"

ANNEXURE

No. Name/Father's Name	Date of engagement	Giving Scale	Date of terminating
1	2	3	4
1. Ram S/o Ram Sukh	23-1-84	1-8-85	5-7-86
2. Nand Lal S/o Ram Shamuga	7-12-84	1-8-85	5-7-86
3. Triveni S/o Laxman	25-1-84	1-8-85	5-7-86
4. Chiranjilal S/o Kashermal	25-12-83	1-8-85	5-7-86
5. Chauthru Ram S/o Rameshwarlal	15-11-84	11-8-85	5-7-86
6. Shanwara S/o Rameshwarlal	15-11-84	1-8-85	5-7-86
7. Moolchand S/o Babu Lal	25-11-84	7-8-85	5-7-86
8. Anil Kumar S/o Ram Lal	31-7-84	4-8-85	5-7-86
9. Khem Chand S/o Ram Lal	9-1-84	5-8-85	5-7-86
10. Satish Kumar S/o Bhagirath	18-12-84	10-8-85	5-7-86
11. Jhabber Mal S/o Raghuvendra	31-5-84	4-8-85	5-7-86
12. Arunesh Kumar S/o Raghuvendra	28-6-84	5-8-85	5-7-86
13. Brijmohan S/o Devi Ram	29-4-84	15-5-85	1-8-86
14. Mahendra Singh S/o Um Rav	1-8-84	15-5-85	1-8-86
15. Mangi Lal S/o Jagram	31-5-84	5-8-85	1-8-86
16. Birbal S/o Kishanu	3-6-83	15-3-85	1-8-86
17. Puranmal S/o Rameshwar	9-1-84	15-6-85	1-8-86
18. Krishan Chandra S/o Permeshwar	10-1-84	1-9-85	1-8-86

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को सूचना जारी की गयी। उपरोक्त वर्णित निर्देश के संबंध में श्रमिक पक्ष की ओर से प्रस्तुत क्लेम में सर्वप्रथम उन 18 कर्मचारीगण की तालिका प्रस्तुत की गयी है जिसमें श्रमिकगण के नाम, पिता का नाम, भर्ती की तारीख, वेतन, श्रृंखला की तिथि व उनकी सेवा मुक्ति की तिथि आदि का उल्लेख है। चूंकि यह तालिका निर्देश के साथ भी संलग्न होने से ऊपर उद्धृत की जा चुकी है और श्रमिक पक्ष द्वारा क्लेम में वर्णित श्रमिकगण की तालिका विवरण व निर्देश के साथ संलग्न तालिका विवरण में कोई विशेष अन्तर नहीं है, अतः इसकी यहां पुनरावृत्ति करने की कोई आवश्यकता नहीं समझी जाती।

3. श्रमिक पक्ष की ओर से क्लेम में आगे कहा गया है कि उपरोक्त सभी श्रमिकगण ने एक क्लेण्डर वर्ष में 240 दिन से अधिक कार्य प्रतिपक्षी के यहां पूरा कर लिया था और इस प्रकार वे अधिनियम, 1947 में वर्णित "औद्योगिक कर्मकार" की श्रेणी में आ गये थे। इन श्रमिकगण की सेवाएं रेलपथ निरीक्षक उत्तरी रेलवे ने मौखिक रूप से बिना किसी लिखित आदेश के समाप्त कर दी और मस्ट्रोल में इनके नाम काट दिये। इस प्रकार यह सेवामुक्ति छंटनी की परिभाषा में आती है। इस सेवामुक्ति के पूर्व नियोजक द्वारा श्रमिकगण को एक माह का नोटिस अथवा नोटिस वेतन तथा छंटनी का मुआवजा नहीं दिया गया। इसके अतिरिक्त पहले आने वाले पीछे जाये सिद्धांत का पालन नहीं किया तथा छंटनी के बावत भारत सरकार को निर्धारित फार्म पर सूचना नहीं दी गयी, न ही इस छंटनी के पूर्व भारत सरकार की अनुमति ली गयी। सेवामुक्ति के पश्चात् अनाधिकृत रूप से और अनुचित रूप से श्रमिकगण का केस अधिनियम, 1947 की धारा 2 (ओ.ओ.) (बी.बी.) के अन्तर्गत लाने के लिए श्रमिकगण को मजबूर करने की कार्यवाही की गयी। क्लेम में यह भी वर्णित किया गया है कि उपरोक्त कर्मचारियों की सेवाएं 5-7-86 और 1-8-86 से छंटनी के द्वारा समाप्त की गयी थीं और इन तारीखों के बाद में उनसे यह कहा गया है कि भविष्य में सेवा के निर्धारित अवधि के नोटिस पर हस्ताक्षर करने के पश्चात् ही वे काम पर आयें। यह कार्यवाही इस नियत से की गयी कि श्रमिकगण को जो अधिकार अधिनियम, 1947 की धारा 25-एफ, जी और एन में प्राप्त हो चुके थे, वे श्रमिकगण बाद में प्राप्त नहीं कर सके और इस प्रकार के पत्र की शर्त पर आपत्ति करने पर श्रमिकगण की सेवाएं समाप्त कर दी गयीं जो अनुचित श्रम आचरण है। नियुक्ति के समय श्रमिकगण का नियोजक के साथ कोई समझौता नहीं हुआ था कि उन्हें किसी खास अवधि के लिए काम करना है। अन्त में उन्होंने समस्त लाभों सहित सेवा में आने की प्रार्थना की है।

4. प्रतिपक्षी रेलवे विभाग की ओर से अपने जबाब में कहा गया है कि इन श्रमिकगण ने एक क्लेण्डर वर्ष में 240 दिन से अधिक काम किया है। प्रतिपक्षी ने अपने जबाब में आपत्ति लेते हुए कहा है कि इन श्रमिकगण को एक

निर्धारित अवधि के लिए नियुक्त किया गया था और वह अवधि समाप्त होने के बाद उनकी सेवाएं स्वतः ही समाप्त हो गयीं और क्योंकि उनकी सेवा निश्चित अवधि के लिए थी इसलिए उनका मागला छंटनी की परिभाषा में नहीं आता और उनको छंटनी के अन्तर्गत सेवा से पृथक नहीं किया गया और इसलिए सेवा पृथक किये जाने के पूर्व उन्हें नोटिस अथवा नोटिस वेतन व मुआवजा देने की कोई आवश्यकता नहीं थी। वास्तव में श्रमिकगण का केस धारा 2 (ओ.ओ.) के अन्तर्गत आता है। टी.एल.ए. एक निर्धारित अवधि के लिए होती है और कार्य की आवश्यकतानुसार पक्षकारों की सहमति से अवधि बढ़ायी जाती रही थी और यह अवधि समाप्त होते ही कर्मचारियों की सेवाएं स्वतः ही समाप्त हो गयीं।

5. श्रमिकगण की ओर से साक्ष्य में अरुणेश कुमार, सांवरमल, अनिल कुमार, सतीश कुमार, खेमचन्द, श्रीराम, नन्दलाल, चिरजी लाल, त्रिवेणी, महेन्द्र सिंह, बृजमोहन एवं कृष्ण चौधरी के शपथपत्र प्रस्तुत किये गये हैं। प्रतिपक्षी की ओर से बलबीरसिंह, कामता प्रसाद व अर्जुनलाल के शपथ पत्र प्रस्तुत किये गये हैं। इन सभी साक्षीगण से प्रतिपरीक्षा भी की गयी है। दोनों पक्षों की ओर से कुछ प्रलेख भी प्रस्तुत किये गये जिनका यथासमय उल्लेख किया जायेगा। दोनों पक्षों को बहस सुनो गई व पत्रावली तथा समस्त अभिलेख का ध्यानपूर्वक अवलोकन किया गया।

6. अन्य बिन्दुओं पर विचार करने से पूर्व इस प्रकरण में दोनों पक्षों द्वारा प्रस्तुत साक्ष्य का संक्षेप में वर्णन करना उचित होगा। श्रमिकगण की ओर से साक्षी सर्वश्री अरुणेश कुमार, सांवरमल, अनिल कुमार, सतीश कुमार, खेमचन्द, श्रीराम, नन्दलाल, चिरजीलाल, त्रिवेणी, महेन्द्र सिंह व बृज मोहन की साक्ष्य में केवल एक ही भाषा में लिखे शपथ-पत्रों में कहा गया है कि उन्होंने प्रतिपक्षी के यहां 240 दिन से अधिक अवधि तक काम कर लिया था और वे औद्योगिक कर्मकार हो गये थे और उनकी सेवाएं मौखिक आदेश के रेलपथ निरीक्षक, उत्तर रेलवे ने समाप्त कर दी और सेवा समाप्ति से पूर्व कोई नोटिस अथवा नोटिस वेतन तथा मुआवजा नहीं दिया गया तथा पहले आये पीछे जाये सिद्धांत का पालन नहीं किया। भारत सरकार की इस सेवामुक्ति के संबंध में निर्धारित फार्म पर सूचित नहीं किया गया और इस प्रकार अवैध रूप से उनकी छंटनी की गयी। इन श्रमिकगण की साक्ष्य के अतिरिक्त कृष्ण चौधरी श्रमिक ने अपने शपथ पत्र में सभी 18 श्रमिकगण की वही तालिका भी प्रस्तुत की है जिसका वर्णन निर्देश के साथ संलग्न सूची में किया जा चुका है। इसके पश्चात् इस श्रमिक ने अपने शपथ-पत्र में कहा है कि उनकी सेवा समाप्ति भी छंटनी के रूप में की गयी थी और इसके पूर्व कानूनी प्रावधानों का पालन करते हुए कोई नोटिस भी नहीं दिया गया।

7. प्रतिपक्षी पक्ष की ओर से प्रस्तुत गवाह बीरबल सिंह ने अपने शपथ-पत्र में कहा है कि वह टी.एल.ए. पर आकस्मिक श्रमिक और गैंगमैन की नियुक्ति व अनुपस्थिति

के तथ्यों की जानकारी रखता है। गवाह ने आगे कहा है कि रेलवे प्रशासन की जिम्मेदारी रेलवे ट्रेक को सुरक्षित रखने की थी और इसके लिये सीमित समय के लिये ट्रेक की पैट्रोलिंग के लिये जितने आकस्मिक श्रमिकों की स्वीकृति प्रशासन में आती थी उसी संख्या में श्रमिकगण को केवल पैट्रोलिंग के कार्य के लिये रखा जाता था। ट्रेक की मरम्मत और रख-रखाव के लिये अलग से स्थायी गैंगमैन रखे जाते थे। पैट्रोलिंग के लिये लगाये गये इन श्रमिकों की सेवायें उनकी कार्यावधि के साथ ही समाप्त हो जाती थी तथा इन आकस्मिक श्रमिकों को उनकी नियुक्ति के पूर्व ही बता दिया गया था कि उनकी नियुक्ति टी.एल.ए. में वर्णित समय के लिये ही थी और उसके पश्चात् उनकी सेवायें स्वतः ही समाप्त हो जायेंगी। इन श्रमिकगण की कार्यावधि जुलाई 86 तक की थी और जुलाई, 86 के अन्त में उनकी सेवायें स्वतः ही समाप्त हो गयी थीं, परन्तु 1 अगस्त, 86 से आगे के समय के लिये भी जब टी.एल.ए. की स्वीकृति आयी तो उसके आगे की निश्चित अवधि के लिये कार्य करने हेतु इन श्रमिकों को रजिस्टर में पूर्व की भांति नोट अंकित करने के लिये कहा तो उन्होंने सहमति देने से इन्कार कर दिया। इसके पश्चात् उनकी यह सहमति देने के लिये नोटिस भी दिये जिनको भी उन्होंने देने से इन्कार कर दिया और इस प्रकार वे स्वयं ही 1 अगस्त, 86 के बाद काम पर नहीं आये। अन्तिम दो गवाह कामताप्रसाद और अर्जुनलाल ने भी अपने जपथ-पत्रों में विस्तृत गवाही तथ्य बताये हैं जो गवाह बीरबल सिंह ने बताये हैं और उनके जपथ-पत्रों में वर्णित तथ्यों का वर्णन करना केवल बीरबल सिंह द्वारा बताये गये तथ्यों की पुनरावृत्ति करना होगा।

8 अब उपरोक्त वर्णित साक्ष्य तथा प्रस्तुत प्रलेखी साक्ष्य के सन्दर्भ में इस निष्कर्ष पर पहुँचना है कि क्या इस श्रमिकगण की नियुक्ति किसी खास अवधि के लिये की गयी थी और क्या उस अवधि के समाप्त होने के पश्चात् उनकी सेवायें स्वतः ही समाप्त समझी जानी चाहिये? इस प्रकरण में प्रतिपक्षी ने अपने जवाब में पैरा संख्या 2 में स्पष्ट स्वीकार किया है कि इन श्रमिकगण को प्रतिपक्षी के जहाँ कार्य करते हुए एक कलैण्डर वर्ष में 240 दिन से अधिक हो चुके थे इसलिये जहाँ तक सेवा से हटाने के पूर्व एक कलैण्डर वर्ष में 240 दिन की अवधि तक काम करने का प्रश्न है, इस बिन्दु पर दोनों पक्षों के मध्य कोई विवाद नहीं रहा है। अतः अब इस प्रकरण में सबसे महत्वपूर्ण विवाद यही रहा है कि क्या श्रमिकगण को किसी खास अवधि के लिये रखा गया था और उस अवधि के पश्चात् उनकी नियुक्ति स्वतः ही समाप्त हो गयी? इस सम्बन्ध में डिविजनल कार्यालय, उत्तर रेलवे बीकानेर द्वारा 28-11-83 को एक पत्र सहायक अभियन्ता, विस्ली (एम.जी.) आर.ई., एस.एस.ए., एस.डी.एल.पी., एच.एम.एच./ I एवं II को लिखा गया प्रतीत होता है जिसकी फोटोप्रति पेज की गयी है, यद्यपि इस पर कोई प्रदर्श नहीं डाला गया। इस पत्र में डिविजनल

कार्यालय, बीकानेर द्वारा सहायक अभियन्ता को आकस्मिक मीर पर कुछ श्रमिकगण को 90 दिन की अवधि के लिये नियोजन देना ही लिखा गया है। किन्तु यह पत्र प्रतिपक्षी रेलवे के दो अधिकारियों के बीच का मामला है, जहाँ एक अधिकारी ने अपने अधीनस्थ अधिकारी को यह पत्र लिखा है। इस पत्र का श्रमिकगण से कोई प्रत्यक्ष या परीक्ष संबंध होता अभिलेख से कहीं भी सिद्ध नहीं कराया गया है, न ही यह बताया गया है कि इस पत्र के सन्दर्भ में ही श्रमिकगण को किसी खास अवधि के लिये नियुक्ति दी गयी हो। वैसे भी प्रतिपक्षी की ओर से यह स्पष्ट स्वीकार किया गया है कि इस विवाद से संबंधित सभी 18 श्रमिकगण ने उनके यहाँ सन् 1984 से 1986 तक अर्थात् 240 दिन से काफी अधिक समय तक काम कर लिया था, अतः यह स्पष्ट रेलवे के अधिकारियों के बीच का एक पत्र-व्यवहार है और इस पत्र में कोई लाभ प्रतिपक्षी को नहीं मिल सकता। प्रतिपक्षी के गवाह बीरबल सिंह ने अपने जपथ-पत्र में कहा कि इन श्रमिकगण को नियुक्ति के पूर्व ही यह बता दिया गया था कि उनकी नियुक्ति टी.एल.ए. में वर्णित समय के लिये ही की गयी है और उसके पश्चात् उनकी सेवायें स्वतः ही समाप्त हो जायेंगी। किन्तु इस प्रकार का न तो कोई लिखित में दोनों पक्षों के मध्य समझौता ही हुआ था। और न ही इस गवाह के बयानों से यह निष्कर्ष निकलता है कि नियुक्ति के समय क्या स्वयं नियोजक ने इस प्रकार का कोई तथ्य श्रमिकगण को बता दिया था। प्रतिपक्षी द्वारा सभी प्रस्तुत गवाहान ने अपनी प्रतिपरीक्षा में स्वीकार किया है कि श्रमिकगण को नियुक्ति देने का अधिकार मंडल अभियन्ता को था। अतः यदि किसी खास अवधि के लिये नियोजन दिये जाने के संबंध में कोई समझौता हुआ तो वह मंडल अभियन्ता और श्रमिकगण के बीच ही हो सकता था। इस प्रकार का न तो कोई लिखित समझौता पेश किया गया है और न ही इन गवाहान के बयानों से किसी भी प्रकार यह निष्कर्ष ही निकाला जा सकता है कि मौखिक रूप से सभी श्रमिकगण को उनकी नियुक्ति के समय यह समझा दिया गया हो कि उनकी नियुक्ति किसी खास अवधि के लिये की जा रही है। प्रतिपक्षी की ओर से इस प्रकार का कोई प्रलेख भी प्रस्तुत नहीं किया गया जिससे उनके बयान के विपक्ष द्वारा कहीं कोई टिप्पणी की गयी हो कि इन श्रमिकगण को कितने-कितने समय के लिये नियोजित किया जा रहा है। इस विवाद के उत्पन्न होने के पश्चात् न्यायाधिकरण में तैयार इनका कह देना कि श्रमिकगण की नियुक्ति किसी खास अवधि के लिये की गयी थी और वह अवधि समाप्त होने के पश्चात् ही उनकी सेवायें स्वतः ही समाप्त हो गयीं, इस कथन पर विचार नहीं किया जा सकता।

9. प्रतिपक्षी की ओर से एक आपत्ति यह ली गयी है कि जब जुलाई 86 के पश्चात् श्रमिकगण को यह कहा गया कि यज्ञ से इस प्रकार के पत्र पर दम्नखत करें कि भविष्य में उनकी नियुक्ति एक माह की अवधि के लिये ही की

जायेगी और उन्होंने यह दस्तखत करने से मना कर दिया और उसके पश्चात् स्वयं ही काम पर नहीं आये, इसका यह निष्कर्ष निकाला जाना चाहिये कि श्रमिकगण स्वयं ही अपनी इच्छा से अगस्त 86 से काम पर नहीं आये किन्तु उनकी यह आपत्ति भी स्वीकार नहीं की जा सकती क्योंकि स्वयं प्रतिपक्षी ने अपनी तरफ से श्रमिकगण के सामने यह शर्त रखी थी कि इस प्रकार के पत्र पर दस्तखत करने के पश्चात् ही वे श्रमिकगण काम पर आ सकते हैं और इस शर्त को मानना श्रमिकगण के लिये आवश्यक नहीं था। इस संबंध में प्रतिपक्षी के विद्वान प्रतिनिधि ने यह भी तर्क दिया है कि कुछ श्रमिकगण ने अपनी सेवामुक्ति के पश्चात् भी प्रतिपक्षी के पत्र पर दस्तखत करके एक माह तक काम किया था। इसका यह निष्कर्ष निकालना चाहिये कि उन्होंने प्रतिपक्षी की यह शर्त मान ली थी कि उनकी नियुक्ति कुछ समय के लिये अर्थात् एक माह के लिये ही की जा रही है और उनके विरुद्ध प्रतिरोधी (estoppel) का सिद्धांत लागू होना है और वह यह नहीं कह सकते कि पूर्व की सेवाओं के कारण उन्हें अवैध रूप से नौकरी से हटाया गया है। किन्तु उनका यह तर्क भी स्वीकार किये जाने योग्य नहीं है। इस बिन्दु पर माननीय राज. उच्च न्यायालय ने "1990 (4) एम.एल. आर. 430-रा.रा. पाठ्यपुस्तक मण्डल जयपुर बनाम औद्योगिक न्यायाधिकरण एवं अन्य" के मामले में अधिनियम 1947 की धारा 25-एफ के संबंध में ही अपना निर्णय देते हुए कहा है कि यदि किसी श्रमिक की सेवामुक्ति धारा 25-एफ के अन्तर्गत अवैध हो जाती है तो केवल इस आधार पर कि उस श्रमिक ने सेवा से हटाये जाने के पश्चात् पुनः नियोजक के यहां अपने पूर्व पत्र पर ही एक माह के लिये नये रूप से काम कर लिया था और इसलिये उसके विरुद्ध प्रतिरोध (estoppel) का सिद्धांत लागू होना चाहिये, इस आपत्ति को माननीय उच्च न्यायालय ने उचित नहीं माना और कहा है कि इन परिस्थितियों में श्रमिक के विरुद्ध कोई प्रतिरोध (estoppel) का सिद्धांत लागू नहीं होता।

10. यहां यह वर्णन करना भी उचित होगा कि इन श्रमिकगण के अलावा लगभग 184 श्रमिकगण का एक अन्य विवाद औद्योगिक न्यायाधिकरण जयपुर के मध्य भी चला था जिसमें भी इसी प्रकार के तथ्य थे और वे श्रमिकगण भी श्रीगंगानगर जैतसर तथा एलनाबाद में प्रतिपक्षीगण के अधीन कार्यरत थे और उन्हें लगभग उसी समय नौकरी से हटाया गया था जिस समय वर्तमान 18 श्रमिकगण को हटाया गया है और उस प्रकरण में न्यायाधिकरण ने अपने निर्णय दि. 28-9-88 के द्वारा श्रमिकगण को सम्पूर्ण पुराना वेतन दिलाते हुए उनकी सेवाओं की निरन्तरता मानते हुए सेवा में पुनः आने का आदेश दिया था। इस बिन्दु पर प्रतिपक्षी के विद्वान प्रतिनिधि ने कहा कि इस अधिनियम को माननीय राज. उच्च न्यायालय में चलाती दी गयी जो लम्बित है। किन्तु वर्तमान प्रकरण के स्वयं के गुणावगुण से यह स्पष्ट

है कि श्रमिकगण की सेवामुक्ति का केस छंटनी का केस था और उपरोक्त आधार पर उसे धारा 2(आ.10.) (बी.बी.) का केस नहीं माना जा सकता और छंटनी के पूर्व धारा 25 एफ की पालना नहीं की गयी, अर्थात् श्रमिकगण को एक माह का नोटिस अथवा वेतन वेतन तथा छंटनी का मुआवजा जहा दिया गया। इन-लिये छंटनी का आदेश अवैध है।

11. एक अन्य आपत्ति प्रतिपक्षी द्वारा यह की गयी है कि इन श्रमिकगण में से कुछ श्रमिक पटनागढ़ में रहने वाले हैं जो जिला मिरजा हुरियाणा प्रान्त के अन्तर्गत हैं और राजस्थान प्रान्त को भौतिक सीमा के बाहर है इसलिये राजस्थान के न्यायाधिकरण को इन श्रमिकगण के संबंध में कोई अधिनियम पारित करने का अधिकार नहीं है। किन्तु उनकी यह आपत्ति भी स्वीकार किये जाने योग्य नहीं है क्योंकि अधिनियम 1947 की धारा 10(1) के अन्तर्गत भारत सरकार को यह अधिकार है कि यह किसी भी विवाद को जहां उचित समझे उस न्यायाधिकरण को अधिनियमार्थ प्रेषित कर सकती है और उसमें इस प्रकार की कोई शर्त नहीं है कि किसी खास भौगोलिक स्थान पर स्थित या उस स्थान के श्रमिकगण का विवाद किसी खास न्यायाधिकरण न्यायालय द्वारा या उस प्रान्त के न्यायाधिकरण द्वारा ही सुना जा सकेगा।

12. उपरोक्त विवेचन के फलस्वरूप यह सुनिश्चित किया जाता है कि प्रतिपक्षी नियोजक द्वारा निर्देश में वर्णित सभी 18 श्रमिकगण को सेवामुक्त करना उचित एवं वैध नहीं है।

13. जहां तक राहत का प्रश्न है कुछ श्रमिकों ने यद्यपि यह कहा है कि वे बिल्कुल बेरोजगार हैं और वह कुछ काम नहीं करने और कुछ श्रमिकों ने यह कहा है कि वह कभी-कभार मजदूरी कर लेते हैं और अपने घर के खेती के काम में हाथ बटा लेते हैं और वे यह काम ज्यादा समय तक नहीं कर पाते और ज्यादा समय तक बेरोजगार ही रहते हैं। ये तथ्य इन श्रमिकगण ने अपनी प्रतिपरीक्षा के दौरान बताये हैं। यद्यपि प्रतिपक्षी रेलवे विभाग की ओर से भी इन श्रमिकगण के लाभकारी नियोजन के संबंध में कोई साक्ष्य प्रस्तुत नहीं की गयी, किन्तु अपने मूल जपथ-पत्रों में श्रमिकगण ने भी कहीं यह नहीं बताया कि वे बेरोजगार हैं और वे कोई भी काम क्यों नहीं कर पा रहे हैं। कुछ श्रमिकगण ने स्वीकार किया है कि वे कभी-कभार मजदूरी या खेती आदि का काम कर लेते हैं। इस प्रकार इस बिन्दु पर अतः दोनों पक्षों को साक्ष्य स्पष्ट नहीं है किन्तु जितनी भी साक्ष्य उपलब्ध है उसको दृष्टिगत रखते हुए और समस्त परिस्थितियों को देखते हुए सभी श्रमिकगण को 60% पिछली मजदूरी व सेवा की निरन्तरता सहित पूरा सेवा में आने राहत प्रदान की जाती है।

14. उक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश को इस प्रकार उत्तरित किया जाता है कि प्रतिपक्षी नियोजक उत्तर रेलवे, झीकानेर के प्रबन्धकवर्ग द्वारा परिशिष्ट "प" में वर्णित सभी 18 श्रमिकगण को सेवामुक्त करना उचित एवं वैध नहीं है, फलस्वरूप प्रकरण की परिस्थितियों में सभी 18 श्रमिकगण को 60% पिछली मजदूरी व सेवा की निरन्तरता सहित पुनः सेवा में आने की राह प्रदान की जाती है।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय, नई दिल्ली को नियमानुसार प्रकाशनार्थ भिजवाया जावे।

जगदीश नारायण शर्मा, न्यायाधीश

नई दिल्ली, 9 मई, 1994

का.आ. 1329.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोकिंग कोल लिमि. की रामकानाली कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-5-94 को प्राप्त हुआ था।

[संख्या एल-20012/128/90-आई आर (कोल-I)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 9th May, 1994

S.O. 1329.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Ramkanali Colliery of M/s. BCCL and their workman, which was received by the Central Government on 6-5-94.

[No. L-20012/128/90-IR(Coal-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 171 of 1990

PARTIES:

Employers in relation to the management of Ramkanali Colliery in Katras Area No. IV of M/s. BCCL.

AND

Their Workmen

PRESENT:

Shri P. K. Sinha, Presiding Officer

APPEARANCES:

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 25th April, 1994

AWARD

By Order No. L-20012(128)/90-I.R. (Coal-I) dated the 21st August, 1990, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the management of Ramkanali Colliery in Katras Area No. IV of M/s. BCCL is justified in dismissing Shri Sibu Das from service w.e.f. 2-6-89? If not, to what relief the workman is entitled?"

2. Through Chargesheet dated 2/3-12-1987 (Ext. M-1), the concerned workman was charged that under Voluntary Retirement Scheme the existing employees were given option for retirement in favour of their bona fide dependents, under which scheme the concerned workman Sibu Das had managed to obtain employment as Miner/Loader claiming to be the son of Ram Prasad Bhuia, Wagon Loader. The workman was also charged that on subsequent enquiry by the Police on the complaint against his relationship with the retired employee, it was revealed that he was not the real son and that he had obtained employment by adopting fraudulent means which act constituted misconduct under Clause 18(1)(a), 1(o) and 1(q) of the Model Standing Orders applicable to that establishment.

3. Through Ext. M-2 the workman submitted his reply dated 24-2-88 claiming that he was the son of retiring employee and was rightly appointed in his place. The management, dissatisfied with this explanation, ordered departmental enquiry and appointed an Enquiry Officer (Ext. M-3). In the enquiry report, the Enquiry Officer found the charge to be established, on the consideration of which report (Ext. M-6) the concerned workman was dismissed from service by dismissal order dated 31-5-89/2-6-89.

4. From a perusal of written statement of the sponsoring union and that of the management it would transpire that the concerned workman was appointed on voluntary retirement of the workman Ram Prasad Bhuia who had applied for voluntary retirement on 26-12-80, declaring Sibu Das as his son. Accepting his application, the management had given employment to the concerned workman by their letter dated 10-2-1981.

5. From the written statement it will also transpire that on 10-11-87 Ram Prasad Bhuia filed an F.I.R. before the police (copy on the record) alleging therein that Sibu Das was not his son and that he had only one son Deo Prasad Bhuia who was also an employee of the management. Ram Prasad Bhuia alleged that under influence of liquor he had signed on some paper in favour of the concerned workman, retiring himself from service after which Sibu Das got employment as his son. Evidently this case went upto trial and it is not denied by any party that in due course trial resulted in the acquittal.

6. From the record it will appear, as the management representative in the domestic enquiry had pointed out, that it was mainly on the basis of filing of the aforesaid F.I.R. that a chargesheet was issued to the concerned workman.

7. The only plea of the concerned workman was that he indeed was the son of Ram Prasad Bhuia and was appointed after due enquiry on the declaration of the retiring workman, hence there was no ground to bring this charge against him after he had worked for years.

8. From the record of the domestic enquiry it appears that the management representative Sri S. N. Dubey had also given his statement and had certain documents marked as exhibits such as the F.I.R. He was also allowed to be cross-examined in which he admitted that the application for voluntary retirement of Ram Prasad Bhuia also contained the signatures of the officers of the mine.

9. It appears that after statement of the concerned workman, the management was allowed to examine Deo Prasad Bhuia who was also working at Ramkanali colliery as Ward-boy (in the hospital). In his statement he has admitted that his father Ram Prasad Bhuia had resigned under Voluntary Retirement Scheme and had nominated Sibū Das for appointment. He also stated that his father had instituted case with the police on the allegation that Sibū Das was not his son and on that paper he also had signed. This witness said that Sibū Das was not his own brother (Apna Bhai). In cross-examination he admitted that he had not reported to the management that Sibū Das was not the son of Ram Prasad Bhuia even after knowing that as a fact.

10. The workman Sibū Das in his statement has claimed that he was the son of Ram Prasad Bhuia and that his father had got him appointed by voluntarily seeking retirement. In proof of his claim that he was the son of Ram Prasad Bhuia, he submitted the certificates granted by Sarpanch and Mukhiya which were marked Exts. W-1 and W-2.

11. This witness was extensively cross-examined but said nothing which would benefit the management. In cross-examination he admitted that his mother had expired.

The prize witness was Ram Prasad Bhuia himself whose F.I.R. appears to have invited this domestic enquiry. This witness has said that in the year 1980 he had retired voluntarily under Voluntary Retirement Scheme and had got his son Sibū Das appointed in his place. He said that similarly, his wife Lakhpata Bhuini had got the other son Deo Prasad Bhuia so appointed. He denied having given any report in the police station or to the management claiming that Sibū Das was not his son.

12. In cross-examination he said that he had two sons, Sibū Das and Deo Prasad Bhuia and that he was living with Deo Prasad Bhuia. He was asked as to why he had gone to the police station to which the witness replied that there he was asked about the number of his sons at which, out of fear, he said that he had one son. He further said that after Sibū's mother expired he had married with the mother of Deo Prasad Bhuia. He further said that (at the P.S.) only his L.T.I. was taken, but he did not know as to what was written therein, nor the same was read over to him. He further said that on his coming to know that Sibū Das was arrested on the allegation that he was not his son, he himself went to the Court and got Sibū Das released on bail by finding personal affidavit. When asked about the claim of Deo Prasad Bhuia that Sibū Das was not his son he replied that both the sons were born to two different mothers. He also said that Sibū's mother was earlier working with him at Kantapahari where he had kept her (Maine Rakh Leya Tha) and Sibū Das was born to her. He said that this might be reason that Deo Prasad Bhuia was disclaiming Sibū Das.

13. It may be relevant here to note that even Deo Prasad Bhuia in his statement had disclaimed Sibū Das to be his "own" brother. It is not that he had stated that Sibū Das was not at all related to him.

14. Photo copy of the application form filed by Ram Prasad Bhuia in the proforma seeking voluntary retirement and nominating Sibū Das is on the record in which Sibū Das has been shown to be his son. The photo copy of the affidavit of Ram Prasad Bhuia filed in the Judicial Court is on the record in which he admitted that he had sought voluntary retirement on his own, and got Sibū Das appointed in his place by declaring him as his son.

15. The Enquiry Officer, at page 13 of the document of enquiry, has mentioned the facts of the case and as to how he was appointed to conduct the enquiry. From this it will appear that Sibū Das was issued chargesheet because the police in its investigation had found that Sibū Das was not the son of Ram Prasad Bhuia.

16. From the evidence it is apparent that the whole edifice of the management's case against the concerned workman

had crumbled at the steps of the statement of Ram Prasad Bhuia as given before the Enquiry Officer, in which the witness explained as to how the F.I.R. got filed without his knowledge of its contents and that he never had complained to any one that Sibū Das was not his son.

17. There is also photo copy of an application filed by Deo Prasad Bhuia sometime after 23-12-88, referring to some enquiry about the service of his father, in which he also claimed that Sibū Das was his "own brother". However, photo copies of the certificates of Sarpanch and Mukhiya also support that Sibū Das was the son of Ram Prasad Bhuia.

18. The Enquiry Officer has attempted to get over the statement of Ram Prasad Bhuia by stating that since his statement had differed at different occasions the same could not be relied upon. It is strange that when the Enquiry Officer or the authorities who agreed with the report of the Enquiry Officer found that Ram Prasad Bhuia was a person not to be relied upon, still they have taken action against the workman on the F.I.R. earlier filed by the same person, which later was repudiated by him. Ram Prasad Bhuia has explained as to how Sibū Das was his son when he was cross-examined by the management.

19. The Enquiry Officer has further stated that even if the statement of Ram Prasad Bhuia was true, (quote) "then Sibū Das is not his real son as his mother was kept of Ram Prasad Bhuia". It appears that the Enquiry Officer was not even aware of the implication of what he mentioned just above. Perhaps when he used the term "real son", he had meant "legitimate son". Even here it is difficult to read with certainty in the statement of Ram Prasad Bhuia that he had not undergone formalities of marriage with the mother of Sibū Das. When he said that he had kept his mother with him he did not say that he had not married her. In his cross-examination earlier he had said that he had married with the mother of Deo Prasad Bhuia only after the death of the mother of Sibū Das.

20. Taking for argument's sake that Ram Prasad Bhuia had not legally married the mother of Sibū Das, still the position would be that Sibū Das was his son, though illegitimate. None of the parties placed before me the terms and conditions of Voluntary Retirement Scheme, but I am told that under that Scheme a workman opting for voluntary retirement was entitled to get one of his dependants including son, appointed in his place. It has not been argued that the son had to be a legitimate child. Under the law, in view of Sec. 125 of the Cr. P.C., an illegitimate child is also legally entitled to be maintained by his father. Simply because the son is illegitimate does not obliterate the relationship of father and son between the two. Unless it was expressly provided in the Scheme that after voluntary retirement only a legitimate son could be appointed it cannot be argued that a dependant illegitimate son was precluded from that benefit.

21. In any view of the matter I do not find any material on the record to show that Sibū Das was not the son of Ram Prasad Bhuia as declared by him while opting for voluntary retirement. In view of this the charge against Sibū Das could not have been found to be established. It may be borne in mind that the charge was that Sibū Das managed to obtain employment claiming to be the son of Ram Prasad Bhuia but the police authorities in subsequent enquiry found that he was not the real son of Ram Prasad Bhuia. There is no doubt, in view of the evidence of Ram Prasad Bhuia that Sibū Das was his son, though the controversy may be raised as to whether or not he was legitimate one, but that had not even been made the subject-matter of the domestic enquiry. I already have held that even if it be taken that Sibū Das was illegitimate son, that will not change his status as the son of Ram Prasad Bhuia as declared by the retiring employee in the proforma.

22. Therefore, it could not be said that the workman had obtained employment by adopting any fraudulent means or by cheating the company, or by giving false statement or

information about his identification and relationship or contravening any provision of Indian Penal Code, which are the specific allegations against him in the chargesheet.

23. Therefore it must be held that the conclusion of the Enquiry Officer was erroneous which cannot be upheld.

24. The next question is about relief to the workman. When it is established that the charge against the workman was not proved, on my finding that the conclusion of the Enquiry Officer was erroneous as discussed in detail above, it must be held that the management should not have dismissed the workman Sibū Das from service. In such case, in my opinion, the concerned workman Sibū Das is entitled to full back wages and related benefits.

25. Following, therefore, is the award—

The management of Ramkanali Colliery of M/S. BCCL was not justified in dismissing Sibū Das from service with effect from 2-6-1989. The management is hereby directed to reinstate Sibū Das in his service immediately on this award coming enforceable, and to treat Sibū Das as continuing in service all along. The management is also directed to pay all the back wages to which Sibū Das would have been entitled had he not been dismissed from service and to give Sibū Das other related benefits also, if any.

In the circumstances there will be no order as to the cost.

P. K. SINHA, Presiding Officer

नई दिल्ली, 9 मई, 1994

का.अ. 1330.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लिमि. का रजपुर ओपन कास्ट प्रोजेक्ट के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनवाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-5-94 को प्राप्त हुआ था।

[संख्या एल-20012/299/89-आई आर (कोल-1)]

सी. गंगाधरन, डैस्क अधिकारी

New Delhi, the 9th May, 1994

S.O. 1330.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Rajapur OCP of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 9th May, 1994.

[No. L-20012/299/89-IR (Coal-I)]

C. GANGADHARAN, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947

Reference No. 146 of 1990

PARTIES:

Employers in relation to the management of Rajapur Open Cast Project of M/s. B.C.C. Ltd.

AND

Their workmen.

PRESENT:

Shri P. K. Sinha, Presiding Officer.

APPEARANCES:

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. P. Singh, General Secretary, Khan Mazdoor Congress.

STATE : Bihar

INDUSTRY : Coal

Dated, the 26th April, 1994

AWARD

By Order No. L-20012(299)/89-IR(Coal-I) dated the 4th June, 1990, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Rajapur OCP under Kustore Area of M/s. BCCL P.O. Jharia, District Dhanbad in placing S/Shri Surat Rajbhar and Munarik Rajbhar, Fitter Helpers in Excavation Gr. E w.e.f. 1-1-87 and Shri Mumtaz Mian, Fitter Helper in Excav. Gr. E w.e.f. 12-4-84 is justified? If not, to what relief the workmen are entitled and from what date?"

2. The claim of the sponsoring Union, as made out in the written statement, is that though all the three workmen named in the reference were transferred to Rajapur Open Cast Project (R.O.C.P.) through Office Order dated 21st August, 1980 as Fitter-Helpers, and though, therefore, they were entitled to get Excavation Grade on the merit of their performance in the project, yet the workman Mumtaz Mian was regularised by Office Order dated 12th April, 1984, in Excavation Grade 'E' and these two concerned workmen were so regularised only from 1st January, 1987. The claim is that the concerned workmen, namely, Surat Rajbhar and Munarik Rajbhar were discriminated against thereby depriving them of their chance of further advancement.

3. Prayer has been made to direct the management to place the concerned workmen in Grade 'C' from 1980 to 1984, and in Grade 'B' from 1984 onwards. In relation to prayer, claiming benefit right from the year 1980, the sponsoring Union has advanced its argument in the written statement but that point is not to be looked into as not being subject-matter of the reference. The reference relates specifically to the alleged discrimination of the two concerned workmen against Mumtaz Mian.

4. On this specific point, the management in its written statement has submitted that on their request the two concerned workmen were put on training as Dumper Khalasi for one year, thereafter were designated as Dumper Khalasi. The management has asserted that Mumtaz Mian was already a Dumper Khalasi, all the three being in Category-II. They were posted as Fitter Helper in ROCP by letter dated 21st August, 1980 which posts are also in Category-II. The management has asserted that Mumtaz Mian was put as Fitter Helper with Excavation Fitter in the year 1981 whereas the other two workmen were put with Excavation Fitter in the year 1983. It has been asserted that before their placement with Excavation Fitter they had been put up with fitters belonging to E&M Grade.

5. It has further been submitted that the Fitter Helpers are deployed with different fitters depending upon their individual capacities and merits as well their past experience.

6. Answering the main point in the reference made by the Central Government, the management has stated in para 7 of its written statement that at the time of regularisation in Excavation cadre, Mumtaz Mian was regularised as Fitter Helper in Excavation Grade 'E' as he already had taken sufficient training and had worked for three years or so and as his merit had already been judged. In para 8 it has been mentioned that the concerned workmen were placed with Excavation Fitters in 1983, hence were regularised with effect from 1st January, 1987 in Excavation Grade 'E' after judging their suitability and merit.

7. Therefore, the ground taken by the management was that Mumtaz Mian had become helper to an Excavation Fitter in the year 1981 whereas the other two had become such helpers in the year 1983. The argument is that therefore

Mumtaz Mian was regularised as fitter helper in Excavation Grade 'E' with effect from the year 1984 whereas the two concerned workmen had been so regularised with effect from 1st January, 1987.

8. No side in this case has adduced evidence but has argued on the basis of documents filed in the reference. These exhibits may be looked into at a glance.

9. Ext. W-1 is Office Order dated 28th April, 1979 through which seven workers including the two concerned workmen were ordered to be put on training as Dumper Khalasi/Driver on their own request and were directed to report to the Area Manager (Tech.), Kustore Area. Ext. W-2 is Office Order dated 21st August, 1980 through which these two concerned workmen including Mumtaz Mian were ordered to be transferred to Rajapur Project to work as Fitter Helper on their existing pay scale, with immediate effect. Ext. W-3 is the same as Ext. M-1 which is Office Order dated 21st April, 1984 through which a total of 34 workmen including Mumtaz Mian but excluding the two concerned workmen were regularised in grade/designation mentioned against their names. Mumtaz Mian was shown to be working as Fitter Helper in Category-II who was regularised as Fitter Helper in Excavation Grade 'E'.

10. Exts. W-4 to W-7 relate to four different letters written on behalf of the Union as well as on behalf of the management on the subject of present industrial dispute, which were addressed to A.L.C.(C), Dhanbad.

11. Coming to the other documents of the management, Ext. M-2 is Office Order dated 1st January, 1987 through which 77 workmen including the two concerned workmen were regularised as Fitter Helper in Excavation Grade 'E'. These two concerned workmen have been shown in this exhibit working as Fitter Helper in Category-II. Ext. M-3 is another photo copy of the same document.

12. Therefore there is nothing on the record brought by the management to show that Mumtaz Mian was placed as Fitter Helper to the Fitter in Excavation Grade long before these two concerned workmen were put up as Fitter Helper with the Fitter in Excavation Grade. There is nothing on the record to show that these two concerned workmen were in any way found inferior in performance to that of Mumtaz Mian or that in any way these two concerned workmen could justifiably be regularised in Excavation Cadre after such regularisation of Mumtaz Mian.

13. Rather Ext. W-2 shows that the two concerned workmen, at Sl. Nos. 4 and 5, and Mumtaz Mian at Sl. No. 6, who were Dumper Khalasis, were transferred to Rajapur Project to work as Fitter Helper with immediate effect through Office Order dated 21st August, 1980. There is also nothing to show that even as Dumper Khalasi Mumtaz Mian had worked for more period than these two concerned workmen, as claimed by the management in para 4 of its written statement.

14. From the rejoinder portion of the written statement of the management particularly in para 16, it will appear that stand has been taken that, unless a workman gains experience and practical knowledge he could not be regularised as Excavation Fitter. The management here took the plea that skill and intelligence were God gifted and the concerned workmen were provided chance to show their intelligence and to develop their skill, but as already stated there is nothing to show that the management had considered the intelligence and skill of Mumtaz Mian to be better than that of these two concerned workmen.

15. Ext. W-2 makes it clear that the two concerned workmen and Mumtaz Mian who were working as Dumper Khalasis were transferred to R.O.C.P. to work as Fitter Helper. Therefore, it is clear that all the three were placed as Fitter Helper by the same order, in which the name of Mumtaz Mian was placed below the name of the two concerned workmen. At the risk of repetition I would again point out that on their being placed as Fitter Helper by the same order, the management has brought no evidence on record to substantiate its claim that Mumtaz Mian was made helper to the fitter in Excavation Grade earlier, hence was regularised earlier.

16. In absence of evidence to substantiate any of the contentions of the management, and in view of the fact that these three were placed as Fitter Helper by the same order, it will definitely appear that the management had discriminated against these two concerned workmen when confronted with the case of Mumtaz Mian. I find that the concerned workmen were entitled to be regularised in Excavation Grade 'E' at least with effect from the date on which Mumtaz Mian was so regularised. This being so, the concerned workmen are entitled to get incidental benefits at par with Mumtaz Mian.

17. In view of the aforesaid discussion the following is the award:—

The action of the management of Rajapur O.C.P. under Kustore Area of M/s. B.C.C. Ltd, in placing S/Shri Surat Rajbhar and Munarik Rajbhar, Fitter Helpers in Excavation Grade 'E' with effect from 1st January, 1987, whereas they had put in Mumtaz Mian as Fitter Helper in Excavation Grade 'E' with effect from 12th April, 1984, was not justified. The management is directed to place these two concerned workmen in Excavation Grade 'E' with effect from the same date on which Mumtaz Mian was regularised in Excavation Grade 'E' i.e. with effect from 12th April, 1984. On their being so put, which shall be done within a month of this award becoming enforceable, these two concerned workmen shall be entitled to the connected incidental benefits, financial or otherwise, if any, at par with that of Mumtaz Mian. It is further made clear that apart from financial benefit, if any, which they shall get at par with Mumtaz Mian with effect from 12th April, 1984, for their future prospects, such as, promotion, their cases shall be considered alongwith Mumtaz Mian but accrual of such benefits shall depend upon their performance and conduct, as under existing rules.

In the circumstances of the case there will be no order as to the cost.

P. K. SINHA, Presiding Officer

नई दिल्ली, 11 मई, 1994

का.आ. 1331 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोकिंग कोल लिमि. की बलिहारी कोलियारी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-5-94 को प्राप्त हुआ था।

[संख्या एल-20012/240/90-आईआर(कोल I)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 11th May, 1994

S.O. 1331.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Balihari Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 6-5-1994.

[No. L-20012/240/90-IR(Coal-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

Reference No. 56 of 1991

PARTIES :

Employers in relation to the management of Balihari Colliery of M/s. B.C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen : Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers : Shri Harihar Nath, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 29th April, 1994

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(240)/90-I.R. (Coal-I), dated, the 26th March, 1991 :—

SCHEDULE

"Whether the demand of Bihar Colliery Kamgar Union (CITU) for regularisation with effect from October, 1986 of Shri Asari Oraon and 20 others as per list enclosed as Tyndal in Cat. IV is justified? If so, to what relief they are entitled?"

2. In this reference Bihar Colliery Kamgar Union has demanded regularisation of the concerned workmen as per list enclosed with effect from October, 1986 as Tyndal in Cat. IV.

3. They have filed W.S. stating that they have been working as Tyndal since long and have completed more than 240 days attendance as such since October, 1986.

4. They claim to have been reinstated with full back wages as per Award of the Central Government Industrial Tribunal No. 1, Dhanbad in Ref. No. 38/83. The Hon'ble Tribunal was pleased to direct the management to regularise the concerned workmen as Cat. I workmen with retrospective effect. The management challenged the decision before the Hon'ble High Court, Patna, Ranchi Bench by a Writ Petition but during the pendency of the Writ Petition the management entered into a settlement whereby it was agreed to regularise the concerned workmen as Cat. I worker.

5. The concerned workmen as claimed were made to understand by the management that they will be regularised as Cat. I worker for the time being and after completion of one year they will be regularised as Cat. IV workmen. However, this understanding was not in writing. The workmen are now claiming that since they have been working as Tyndal they should be regularised in Cat. IV.

6. The management has denied the claim of the concerned workmen and by filing W.S. it was submitted that they were appointed as Cat. I Mazdoor in the year 1986 and they have been performing different type of job mostly carrying materials and replacement of machines from one place to another in the underground which are jobs of Tyndal Mazdoors.

7. It was stated that the concerned workmen are demanding their promotion from Cat. I to Cat. IV in the garb of regularisation which is illegal and the management have got no vacancy for such promotions. It was also contended that they cannot be regularised over lapping Cat. II and Cat. III to Cat. IV. Even if the D.P.C. considers their regularisation the same will be considered on the basis of seniority-cum-merit and they cannot be promoted by passing seniority of other prospective candidate. While giving parawise reply the management denied that the concerned workmen were working as Tyndal since 1986. It was also denied that they have completed 240 days attendance as Tyndal.

8. Now the question for consideration is as to whether the concerned workmen can be regularised in Cat. IV as Tyndal with retrospective effect from the year 1986?

9. From the pleadings of the concerned workmen it is clear that they are demanding their regularisation as Tyndal in Cat. IV with effect from 1986 on the ground they have been working as such for the last several years. Admittedly, they were regularised as Cat. I Mazdoor in the year 1986. However, the management has admitted that it has been taking work of Tyndal from the concerned workmen as and when required. In this connection it may worth noting that certain documents like Store Issue Register, Sunday working list, O.T. slips have been filed by and on behalf of the workmen to prove this fact, but they are all not complete. It is also worth mentioning that the union had called for these documents from the management but the management did not file nor any explanation for non filing was offered.

10. The management has examined some of the witnesses to controvert the demand of the concerned workmen. MW-2 Shri B. N. Jha, Dy. P. M. of Balihari colliery has stated that he has searched for the documents but they could not be located. But this statement can be given its negative value when it was wholly contradicted by MW-1 Shri Suresh Singh, Asst. Manager of the same colliery. MW-1 stated that he had no knowledge that the concerned workmen had called for the aforesaid documents. He further stated that he can file all the documents right from the year 1986 to show that the concerned workmen were not working as Tyndal regularly. In view of such statement it can be very well concluded that those documents were actually available with the management but no step was taken to file them for the reasons best known to the management. However, the learned counsel for the workmen contended that the reasons were quite obvious for the management would have exposed itself and the claim of the workmen could have been very well substantiated. Be that as it may, I find that those documents were not on the record. The union filed part documents. The photo copy of the store issue register Ext. W-1 does not show that the concerned workmen worked regularly for months together as Tyndal. Of course some of them have been shown to have worked as Tyndal but this rather supports the contention of the management that they were engaged as Tyndal, if and when required. Ext. W-3 series are Overtime slips. These slips will disclose that almost all the concerned workmen were engaged for O.T. duty as Tyndal. Again there is a Sunday working list Ext. W-2 showing that they were assigned duty as Tyndal even on Sundays. The management has filed Ext. M-2 which is the statement showing the work being done by the concerned workmen. It reveals that only 5 concerned workmen were assigned duties of Tyndals but in the face of Ext. W-2 and W-3 it has already been proved that all the concerned workmen were used to be given duty of Tyndals. In spite of all these things none of the document ever disclosed that these concerned workmen perform as Tyndal for years together or at least continuously for a year. At this stage it was contended by the learned counsel for the workmen that the document were lying with the management as revealed from the evidence of MW-1, and as such benefit should be given to the concerned workmen. It was stated that the very filling of the document could have shown that they completed 240 days attendance as Tyndal in calendar year. In the circumstances it was urged that an adverse inference should be drawn against the management and the claim of the concerned workmen should be appreciated and accepted. The contention of the learned counsel may not be completely brushed aside but we cannot ignore the facts that the Tyndals have their cadre scheme and they are under Cat. IV whereas the concerned workmen were appointed as Cat. I Mazdoor from 1986 (Ext. M-1 series). This means they will have to be placed in Cat. IV ignoring Cat. II and III.

11. Admittedly, the management has implemented Wage Board Recommendation. Tyndals have been placed in Cat. IV as skilled juniors whereas Cat. I Mazdoor have been shown as unskilled. Similarly Cat. II Mazdoor are semi-skilled and Cat. III Mazdoors are semi-skilled higher. The job description of Tyndal have been spelt out at page 46 of the Wage Board Recommendation in the following words :—

"Men generally employed in moving engineering stores, drums of oil and greases. Also responsible for erection, dismantling of structures and installation and withdrawal of machinery."

This means that the concerned workmen were assigned duty of skilled juniors ignoring the duty of Cat. II and Cat. III Mazdoor and this fact is supported from the evidence of MW-1 when he stated that the concerned workmen were engaged as Tyndal as per necessity. He also stated that whenever they were engaged as Tyndals they were assigned the same duty as were being performed by regular Tyndals.

12. The management has adduced oral evidence to show that it has got surplus Tyndals but this statement sounds paradoxical when there were surplus Tyndal then there could have been no necessity for engaging the concerned workmen as Tyndals. My attention was drawn towards the evidence of MW-2 also who stated that a workman is allowed to work in the higher category for year also only on the strength of existing vacancy. It was thus urged that the concerned workmen were working as Tyndal against existing vacancy. WW-1 Shri Rampath Modak one of the concerned workman has stated the claim of the concerned workmen. He also stated the nature of work done by them.

13. I have considered the argument advanced from both the sides plus the document already brought on the record. It is true that the management did not produce the relevant document which according to the concerned workmen would have proved their claim. Definitely an adverse inference can be drawn but that alone should not be the only criteria to hold satisfactorily that the concerned workmen performed as Tyndal continuously since 1986. No doubt even their periodical engagement as Tyndal simply suggests that they had quality and potentially to do as Tyndal. But it looks surprising that they have not been provided with Cat. II although they seemed to have been doing as skilled juniors. For the reasons stated above I am not inclined to accept the demand of the concerned workman and to place them in Cat. IV right from Cat. I Mazdoor. But they are certainly entitled for Cat. II with retrospective effect. It is ordered accordingly. The management is directed to place the concerned workmen in Cat. II and to pay them accordingly with effect from January, 1986.

This is my Award.

B. RAM, Presiding Officer

नई दिल्ली, 13 मई, 1994

का.आ. 1332.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स टाटा स्टील एण्ड स्टील कम्पनी लिमि. की वेस्ट बोकारो कोलियरी के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-94 को प्राप्त हुआ था।

[संख्या एल-20012/381, 91-आई आर (कोल-I)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 13th May, 1994

S.O. 1332.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of West Bokaro Colliery of M/s. TISCO and their workmen, which was received by the Central Government on 10-5-94.

[No. L-20012/381/91-IR(C.I)]

C. GANGADHARAN, Desk Officer

1311 GI/94—9

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE No. 89 OF 1991

PARTIES :

Employers in relation to the management of West Bokaro Colliery of M/s. Tisco. Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. N. Goswami, Advocate.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 4th May, 1994

AWARD

The Govt. of India, Ministry of Labour in exercise of the conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(381)/91-I.R. (Coal-I), dated, the 30th April, 1991.

SCHEDULE

"Whether the action of the management of West Bokaro Colliery of TISCO Ltd., P. O. Ghatotand, Distt. Hazaribagh in dismissing from service of Shri Hiranman Ganju, Ex-Tyndal, with effect from 12-9-88 is legal and justified? If not, to what relief the workman is entitled?"

2. In this reference the action of the management of West Bokaro Colliery of Tisco Ltd. has been challenged in dismissing Shri Hiranman Ganju, ex-Tyndal from service with effect from 12-9-88.

3. The concerned workman stated his claims by filling W.S. Admittedly he was appointed at West Bokaro Colliery on 1-9-80 as Coal loader and subsequently he was placed as Underground Tyndal with effect from 21-12-87.

4. He was issued chargesheet dt. 11-7-88 under the signature of the Manager (Operation) underground of West Bokaro colliery for the misconduct committed by him under various clauses namely 27(5) and 27(9) of the Standing Orders. The workman submitted his explanation vide explanation dt. 15-7-88 denying all the charges levelled against him. The management had already made up its mind to dismiss the concerned workman and the brother Jagdish Ganju who are sons of Sujan Ganju. The concerned workman also claimed that his father was raiyati land owner of the disputed land and it was in his exclusive possession. It was stated that the aforesaid land over plot No. 309/510 under khata No. 48 situated at village Baraghatu, P. S. Mandu, Distt. Hazaribagh was acquired from the Manager Court of Wards of Ramgarh Estate and the same land was confirmed by granting of Hukmnama dt. 1-2-1935. His father was put in possession and since then he is holding possession of the land. It was stated that the allegations levelled against the concerned workman in the chargesheet were quite vague, indefinite, inspecific and unwarranted. It has been prayed that the management be directed to reinstate the concerned workman with full back wages.

5. The management also filed W. S. denying all the claims of the concerned workman. It was stated that the concerned workman along with others obstructed the normal plying of Haulpaks and Coal Haulers by cutting trenches along with main haul road and piling of stones, debris across the road near the field repair shop of the colliery at about 7.00 P.M. on 8-7-88. On receiving the information of the blockade, Shri Chandreshwar Prasad, Asstt. Land Officer visited the spot on the same day at about 3.30 P.M. Shri Janki Singh, the Security Inspector and other security personnel

visited the spot. They all talked to Hiranman Ganjho and others relating to the reasons for putting blockade of the roads. Shri Hiranman Ganjho stated that Haul Road was passing through his land and he had right to stop the vehicle. It is stated that Shri Chandreshwar Prasad and others tried to reason with the concerned workman and also requested him to remove the blockade but it was of no use. On the other hand the concerned workman abused and threatened the official and also hurled stones on them and in this way committed act of indecent behaviour and caused injury to the officials. The local police arrived and removed the blockade. After that chargesheet was issued against the concerned workman. In the domestic enquiry he was found guilty of the misconduct and ultimately dismissed from the services. The management submitted that the concerned workman was guilty of the misconduct and he has got no claim as stated by him.

66. The question for consideration is as to whether the concerned workman could be reinstated with full back wages or not?

7. As per allegation the concerned workman committed misconduct of indecent behaviour and loss of the company's property and accordingly he was issued chargesheet No. 168 dt. 11-7-88 under the signature of the Manager (Operation) of the West Bokaro Colliery. The concerned workman had replied to the chargesheet denying all the charges. The reply after having been found not satisfactory the management ordered for domestic which was conducted exparte. The domestic enquiry has been held to be not fair and proper and the management was directed to prove the charges.

8. There was an allegation that the concerned workman and his family members obstructed normal plying of the vehicles belonging to the management by cutting and blocking the main haul road on 8-7-88 at about 7.00 P.M. It is stated that on account of said blockade the company had to sustain loss of production of coal to the tune of 3,000 tonnes. It was also stated that he threatened and abused the officials and also hurled stones on them.

9. The management examined several witnesses but none of them ever stated that the concerned workman hurled any stone upon any official of the management. Simply they stated that Hiranman Ganjho hurled abuses upon them. I find that the concerned workman has denied his presence on the P. O. road at the time of occurrence. However, in his evidence he has volunteered that his father and other family members had put blockade on the road over plot No. 294 of Khata No. 48. It may be mentioned that the concerned workman was issued chargesheet for causing blockade of over plot No. 309 of Khata No. 48. From the evidence as also from the W. S. it appears that the concerned workman is also putting his claim over plot No. 309.

10. From the documents so filed and the W. S. of the parties it is clear that the management and the concerned workman both are putting their claim and possession over the land. Admittedly, there was a proceeding under Section 144 Cr. P. C. which was converted into the proceeding under Section 145 Cr. P. C. Hiranman Ganjho stated that his father had filed a title suit in the Court at Hazaribagh. This implied goes to show that in the proceeding under Section 145 Cr. P. C. the possession over the land was declared in favour of the management. Prima facie this appears to be true also in the sense that the alleged road was constructed by the management of West Bokaro long ago. The witness have stated that the management has been maintaining and repairing that road since after its construction. The concerned workman did not dispute that the road was not constructed by the management. He is simply putting his claim over the land through which the road is passing. He is not putting any claim over the road itself.

11. In this connection we may have a look to the witnesses of the management both oral and documentary. MW-1 has stated that the disputed plot originally belonged to the Forest department which came into the possession of the management in the year 1968. He has proved the photo copy of the order of the D.F.O., Hazaribagh of the year 1958. The order is quite faint and illegible. The map of the road leading to

crushing plant is Ext. M-1. In cross-examination the witness stated that he did not see any notification of the Government whereby the disputed land was transferred to the Forest Department. Since the title suit was pending subjudice it may not be fair and proper to go into the titles of the parties but it is true that nobody objected to when the road as constructed. It is also true that after construction of the road the management has been transporting materials/coal to the crushing plant for the last several years without any interference from any quarter.

12. The concerned workman is equally putting his claim and possession of the plot in question. WW-1 Hiranman Ganjho has proved khalsa receipt of the Estate of Ramgarh standing in the name of Sujan Ganjho, his father. It is in respect of the land measuring 3.72 acres. The photo copy of Hukum Nama dt. 5-11-36 stands in the name of Sujan Ghanjho but the document is so faint that other details cannot be read. Ext. W-2 is the photo copy of the Sale deed executed by Sujan Ganjho in favour of his wife Gahani Devi. By the aforesaid sale deed an area of 3.72 decimal of plot No. 309 was transferred in favour of Gahani Devi on 3-6-89. It may be noted that this is the transaction after the alleged occurrence and the proceeding under Section 144 and 145 Cr. P. C. and that being the position this document cannot be taken into consideration. Ext. W-5 is the photo copy of the Khatian but it does not refer to plot No. 309. Ext. W-6 is the rent receipt granted on behalf of the State of Bihar in favour of Puran Ganjho and it is in respect of 2 acres 11 decimal of land. From this rent receipt it cannot be ascertained that they relate to the disputed land. Ext. W-7 is the photo copy of the title suit in which the Plaintiff had demanded declaration of his title and confirmation of possession over the disputed land and in alternative if he is not found in possession for restoration of possession.

13. From the documents as discussed above it is clear that the concerned workman and his family members are putting their equal claim over the disputed land. Definitely that claim cannot be said to be mere colour or pretence of claim. In otherwords they are fighting for their bonafide claim.

14. Now the question arises as to whether the action of the management can be held to be justified specially when the concerned workman is putting his equal claim over the land. The concerned workman stated that he was not present at the P. O. but I find that all the witnesses had made consistent statement to the effect that they had seen Hiranman Ganjho at the place of occurrence and on this point they seemed to have stood test of cross-examination. It is equally true that no witness saw the concerned workman cutting and blocking the road but he was found present at the place of occurrence. He was also seen hurling abuses and holding threats to the officials. MW-2 had also gone to the place of occurrence and had seen the concerned workman. MW-3 Janki Singh had also gone to the place of occurrence on receipt of the information from Shri P. S. Dhillon, MW-4. He has received information to the effect that Hiranman Ganjho and Jagdish Ganjho have cut and blocked the road. Surprisingly Shri P. S. Dhillon never stated that he had given such type of information to MW-2. He rather stated that he had given information to Shri Chandreshwar Prasad, Asstt. Land Officer about cutting of the road.

15. From the evidence adduced, it is gathered rather well proved that nobody had seen the concerned workman cutting and blocking the road. But the witnesses stated about his presence and the abusive language used by him. He was also seen holding out threats of dire consequences. Although the concerned workman was asserting his bonafide claim and possession over the land but the very existence of road prima facie speaks possession of the management colliery. Even supposing for the sake of argument that the concerned workman was in possession of the land still his action and behaviour shown at the place of occurrence will tantamount to misconduct.

16. For the reasons stated above I am to hold that the concerned workman committed misconduct by his indecent and disorderly behaviour and also for holding out threats to the officials. Although he was asserting his bonafide claim of the land, he should have restrained himself and should not have taken the law in his own hand.

17. Again the question will arise as to whether for the aforesaid acts the concerned workman could have been dismissed from the services. I think the dismissal was quite disproportionate to the misconduct. He is out of job for more than 5 years and I think stoppage of back wages will meet the ends of justice. In the result, the order of dismissal is set aside the management is directed to reinstate the concerned workman within two months of time from the date of publication of the Award. There will be no order of back wages. However, the continuity of service will be maintained.

This is my Award.

B. RAM, Presiding Officer

नई दिल्ली, 13 मई, 1994

का. आ. 1333.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, इण्डियन एयरलाइन्स के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. I), बम्बई को पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-94 को प्राप्त हुआ था।

[संख्या-एल-11012/24/86-डी-2(बी)/आई आर
(कोन-I)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 13th May, 1994

S.O. 1333.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Bombay as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines and their workmen which was received by the Central Government on 4-5-94.

[No. L-11012/24/86-D.II(B)/IR(Coal-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Present :

Shri Justice R. G. Sindhakar, Presiding Officer.

REFERENCE NO. CGIT-35 of 1988

Parties :

Employers in relation to the management of Indian Airlines, Bombay.

AND

Their workmen

Appearances :

For the Management : Mr. Swamy, Advocate.

For the Workman : Workman present in person.

INDUSTRY : Airlines

STATE : Maharashtra

Bombay, dated the 26th day of April, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi, by letter dated 6/9-3-1988, made the following reference under section 10(1)(d) read with sub-section 2A of the Industrial Disputes Act, 1947, to this Tribunal for adjudication.

"Whether the action of the management of Indian Airlines, Bombay, in relation to its catering Department in terminating the services of Shri Mohd. Manif, Sr. Catering Helper, with effect from 27-2-85 is justified? If not, to what relief the workman concerned is entitled to?"

2. Statement of claim has been filed by Shri Mohd. Han He has stated therein that he was a permanent employ of the corporation and was designated Senior Catering Help in the Catering Department. According to him, he has got service record.

3. On 14th December 1983, some incident took place in respect of which he was given a chargesheet dated 26 January/3rd February 1984. He replied to the same and denied the charges. Enquiry was directed by letter dated 13-4-1984. He contends that though enquiry was held he was not given fair opportunity to defend himself and it was close with undue haste on 10-10-1984. He further states that principles of natural justice were not followed while conducting the enquiry and the findings of the Enquiry Officer are patently perverse and no charges are proved against him. In spite of this punishment of removal from services was imposed. His appeal failed. He demanded reinstatement with full back wages. The Asstt. Labour Commissioner intervened in the dispute but it could not be settled and therefore, the final report was made. He was expecting orders for reference but had to file a Writ Petition bearing No. 3074 of 1987 and during the pendency of that Writ Petition, present reference came to be made.

4. He has further stated that for alleged misconduct he was suspended on 3-12-1982 that he was not given documents on which chargesheet was framed and he was not given the list of witnesses to be examined in the enquiry. It was also initiated after subordinate delay, Shri P. M. Jog, Enquiry Officer was biased against the workman, enquiry held was not legal, fair and proper. Because it was held in English, which the delinquent did not understand. Proceedings were not read out and explained and therefore, the delinquent could not understand what has transpired in the enquiry. The witnesses were interested and the Enquiry Officer did not maintain a true and correct record of enquiry proceedings. Workman was asked to sign them that he understood the same.

5. He further states that about this incident a proceeding was taken by Asstt. Collector of Customs and he was exonerated.

6. He therefore, contends that the enquiry is vitiated because he was not given fair and proper opportunity to defend himself and he should be given a proper opportunity to prove his innocence before this Tribunal. According to him he is victimised. He further states that there is breach of the Model Standing Orders' mandatory provisions because the enquiry should have been held in Hindi.

7. He also states that the penalty of removal is shockingly disproportionate. In the end he has prayed for reinstatement with full back wages, by setting aside the order of removal.

8. Written statement has been filed on behalf of the Indian Airlines. It has been submitted that Shri Mohd. Hanif joined services on 1-7-1968. It is denied that he has a clean record. It is contended that he was involved in the incident which took place at Bombay Airport on 14th December 1983 (date corrected from 4th December to 14th December). On that day he committed misconduct and was therefore, chargesheeted. After a proper, fair enquiry in accordance with the principles of natural justice, after giving him opportunity to defend himself, he was held guilty and order of removal from services was inflicted upon him by the management. He was before passing the order given show cause notice. The Appellate Authority also considered his appeal and did not find any merit in it and dismissed the same. The Corporation, then stated that it is not aware of any Writ Petition filed.

9. It is then stated that he was suspended from duty on 5-12-1983 and he was given full particulars of the charge while giving him chargesheet and also he was informed of all the evidence which was proposed to be considered against him. Copy of the documents relied upon as the evidence was also furnished to the workman as mentioned in the chargesheet and there was no delay in the conduct of the enquiry. The allegations that Shri P. M. Jog, Enquiry Officer was biased is denied. It is submitted that no details of the bias are given. It is further stated that the proceedings were explained in Hindi and that adequate opportunity was given to him to defend himself and bring in a 'friend' who assisted

the enquiry. He fully participated, cross-examined witnesses examined on behalf of the management and produced his own witness and made detail submission before the Enquiry Officer.

It is further denied that faithful record was not maintained with regard to the Customs Department exonerating him, it stated that it has no relevance.

10. It is alleged that he had indulged and abetted in trying to take away for personal gain, the customs bonded goods such as imported cigarettes of different brands and Chivas Regal Scotch Whisky. The punishment awarded is in keeping with the gravity of the misconduct committed by him. In order to curb his tendencies of indulging in anti-national activities the Corporation had to take deterrent action.

11. Learned counsel appearing on behalf of the management has produced the relevant papers of enquiry and workman has also made written statement. My learned predecessor has also recorded the evidence in the form of affidavit and recorded the cross-examination.

12. Following issues were framed by him and my findings are recorded :

Issues	Findings
1. Was fair and reasonable opportunity denied to the workman to defend himself in the disciplinary proceedings?	No
2. Were the disciplinary proceedings not effectively communicated to the workman in Hindi or any other language known to him?	No
3. Was the Enquiry Officer biased against the workman?	No
4. Are the enquiry proceedings bad for violation of any principles of natural justice?	No
5. Are the findings in the enquiry perverse?	No
6. Whether the order of dismissal of the workman is not justified? If not, what relief is he entitled to?	No. It is justified. Not entitled to any relief.

13. In the course of the statement of claim the delinquent has contended that the enquiry conducted was in breach and violation of the mandatory provisions of the Model Standing Orders inasmuch as the Enquiry Officer was obliged to hold the enquiry in Hindi, a language understood by the workman. In the instant case, I do not find any provisions as in the Standing Orders (Regulations) concerning discipline and appeals for employees of the Corporation making it obligatory upon the Enquiry Officer to conduct the proceedings in Hindi or in the language known to the delinquent. Clause 14(4)bb of Industrial Employment (Standing Orders) provided that the proceeding shall be in Hindi or English or in the language of the statewise the industrial establishment is located whichever is preferred by the workman. He did not give any preference then. Therefore, no violation or breach of any specific order. Besides, I find that the delinquent was explained the proceedings in Hindi and to that effect is the endorsement made by the Enquiry Officer. In addition, it must be stated that he had engaged a friend to assist him in the defence and he cross-examined the witnesses examined on behalf of the management. In the course of cross-examination of the delinquent, he also admitted that he had filed his written statement to the charge sheet, it was got prepared from Shri Gawankar in English. He further admitted that his friend Mr. Naresh Lal a Catering Assistant was conversant with English. In the circumstances, no prejudice whatsoever is caused to him and it is for these reasons that I am recording the finding in the negative on issue No. 2 and also holding that there has been no breach or violation of any Standing Order by not holding the enquiry in Hindi.

14. The point which has been taken up on behalf of the workman is that fair and reasonable opportunity was denied to him to defend himself in the disciplinary proceedings. I have examined all the papers of enquiry submitted by the management and I find that there is no basis whatsoever for this grievance. The charge against him was that on 14th December, 1983 he was in the morning shift from 0500 hrs to 1234 hrs and was allotted duties to loan custom bonded items taken from Air India bonded warehouse, in the highlift and transfer them in the night IC-131 Bombay/Karachi. The highlift while returning to the catering section after attending to the departure to the night IC-131 was checked by the Security personnel at the Catering Gate and it was found there were 75 cartons of imported cigarettes of different brands kept in five standard units and three bottles of one litre each Chivas Regal Scotch Whisky wrapped in Indian Airlines blanket. In his statement recorded he admitted that the above items were given to him by Flight Purser, Shri Kashmiri, who was on duty on IC-131, prior to the departure of that night and that the delinquent was taking them to the sub-store of Catering Section as per the instructions of Shri Kashmiri, Flight Purser, and thus he did for monetary gain. It is on these allegations that he was charged with breach of Standing Order No. 1, 16(4), 16(8), 16(13) and 16(43). Evidence which was proposed to be considered in support of the charge was mentioned in the charge sheet and he was called upon to file written statement of his defence. He was also told that if no statement was received, it will be presumed that he had none to furnish and orders will be passed. He was also told that he should inform in writing whether he desired to be heard in person, and wished to cross-examine witnesses or examine any defence witnesses and to submit alongwith the written statement, their names and addresses together with a brief indication of the evidence which each such witness was expected to give. He gave his reply in which he admitted the findings of the articles but stated that it was Shri Kashmiri, who had informed him to take the cabin catering container to the sub-store of the catering section. He therefore, brought them and did not know what happened thereafter. He was not told neither by Kashmiri nor any body that the said container contained those items. Thereafter, the enquiry was held in respect of the charges and it is found that he was explained the charge levelled against him and also allowed the assistance of a friend to defend himself. The enquiry proceedings clearly show that full opportunity was given to him and he availed himself of that opportunity. His grievance that he knew only Hindi and did not know English and therefore, did not understand the proceedings is totally devoid of substance because at the end of the proceedings he was explained in Hindi and he confirmed that he understood that before signing. It has to be noted that he took assistance of a friend at the enquiry and he cross-examined witnesses examined on behalf of the management. The witnesses testified to what had happened and the defence witness offered was also examined during the enquiry proceedings. The delinquent was given an opportunity to make a written submission by way of written statement and thereafter, the Enquiry Officer submitted a report stating the case in brief and analysing the evidence of witnesses with the cross-examination and also analysing the evidence of the defence witness. The Enquiry Officer was satisfied that the charges were proved at the end of the enquiry and submitted his report to the Disciplinary Authority. It is the Disciplinary Authority that accepted report of the Enquiry Officer after giving delinquent an opportunity to show cause why the same should not be accepted and penalty of removal from the services of the Corporation be not imposed upon him. It is thereafter, that, an appeal was preferred and the same came to be rejected and reasons in support are also given.

15. It is not possible to accept his contention that there is no faithful record of the proceedings, that he did not understand the proceedings and that he was not given a fair opportunity to defend himself. There is also no basis for the grievance that the findings are perverse as the findings are based on the evidence produced before the Enquiry Officer. There is, therefore, in my opinion, no merit in the challenge that is made to the fairness of enquiry held against him. In my view, principles of natural justice have been observed.

16. There is no merit in the contention that Shri Jog, Enquiry Officer was biased. The papers reveal that he has been fair throughout.

17. The evidence adduced does also in my opinion inspire confidence. Affidavit filed by Mohd. Hanif, reiterates that has been stated in the written submission. His cross-examination clearly goes to show that he understood the proceedings and that he was given a fair trial. There is no material to show that he was victimised. The other witness examined on behalf of Mohd. Hanif also does not advance the case of delinquent. On the contrary, he was the one who defended him in the enquiry proceedings as Shri Gawankar, was not able to come as delinquent's 'friend' because of hospitalisation. It was Shri Gawankar who asked him to assist the delinquent. He admitted during the course of cross-examination that he has signed the pages of proceedings and his signatures were obtained after the proceedings were recorded. He stated that he has complained to the Enquiry Officer that he was conducting the proceedings in a haste but the proceedings did not reveal that it was so. The highlift driver Mr. Kundan Singh, Flight Purser Shri Kashmiri were asked for examination or for cross-examination but he did not apply for calling them as workman's witnesses. He did not contact witnesses to appear as workman's witnesses and for the reason assigned the Enquiry Officer closed the enquiry. It is difficult to accept this grievance and I do not find there is any justification in the grievance because the proceedings would have otherwise revealed those facts. On the contrary, the delinquent had stated when he was asked whether he had any witness to be produced he stated that he did not have any more witnesses. I therefore, find that this has been a case of penalty inflicted after holding a proper and fair enquiry and therefore, my findings on issue No. 1, 2, 3, 4 and 5 accordingly recorded.

18. I add therefore, that the enquiry was fair and reasonable, he was given opportunity to defend himself in the disciplinary proceedings that there was no violation of the principles of natural justice that the Enquiry Officer was not biased and that the findings reached are not perverse. In the circumstances, that order of removal passed is not unjustified and therefore, the workman is not entitled to any relief. Award accordingly.

R. G. SINDHAKAR, Presiding Officer.

नई दिल्ली, 10 मई, 1994

का.आ. 1334.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, बैंक आफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद सं. 2 के पंचपट को प्रकाशित करनी है, जो केन्द्रीय सरकार को 10-5-94 को प्राप्त हुआ था।

[संख्या एल-12012/553/89-डी-2(ए) आईआर(बी-2)]

वी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 10th May, 1994

S.O. 1334.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad No. 2 as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 10-5-94.

[No. L-12012/553/89-DIA/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Ram, Presiding Officer.

Int he matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 9 OF 1990

PARTIES:

Employers in relation to the management of the Regional Manager, Bank of India, Pankaj Market, Muzaffarpur and their workmen.

APPEARANCES:

On behalf of the workmen : Shri J. P. Singh, Advocate.

On behalf of the employers : Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Banking.

Dated, Dhanbad, the 2nd May, 1994

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/553/89-D.2-A dated, the 3rd May, 1990.

THE SCHEDULE

"Whether the action of the management of the Regional Office of Bank of India, Muzaffarpur in stopping Sri Mohan Pandey, Badli Sipahi from his work is justified when he was engaged since December, 1983 as Badli Sipahi in the bank ? If not, to what relief, the workman is entitled ?"

2. This is the reference in which the action of the Regional Office of Bank of India, Muzaffarpur has to be considered in stopping Sri Mohan Pandey, Badli Sipahi from his work when he was engaged since December, 1983 as Badli Sipahi in the Bank?

3. The concerned workman has filed W.S. stating that he is matriculate and was employed in the regional office of the Bank of India Muzaffarpur branch as Badli Sipahi in December, 1985. He has stated that right from the year 1985 to 1987 he worked as casual workman in different capacity for several days. According to him in the year 1985 he worked for 90 days as Water and Tea Boy and also for 30 days in the Stationery department. He also worked in the planning department for 150 days. Similarly in the year 1986 he worked as Mazdoor for 269 days. In the year 1987 he worked for 325 days but he was suddenly stopped from his work. It was stated that he completed more than 240 days in every calendar year and thus he was holding continuous service as laid down under Section 25B of the I.D. Act, 1947. Since he was in continuous service he could not have been stopped from the services without any charge-sheet or the departmental proceeding.

4. The concerned workman was paid on voucher and he was always assured that in due course he would be made permanent in the Bank's services. But even after serving for several years he was not made permanent. He insisted on the authorities to make him permanent and this probably annoyed the employers and he was stopped from his work.

5. He was also called for interview for the post of Sipahi and even at that time also he was given hope that he would be appointed as such in due course. It is stated that the result of the interview was not communicated to him. It was stated that the stoppage of the concerned workman from his work was illegal and unjustified. He has prayed for reinstatement/regularisation with full back wages.

6. The management refused each and every claim of the concerned workman. It was denied that he was employed as Badli Sipahi. According to the management Shri Mohan Pandey, the concerned workman was engaged as Sasual worker as and when required. He was engaged on various kinds of unskilled job from the period from December, 1983 to December, 1987. The management stated that during this period he never completed 240 days of attendance in any calendar year or in the block of 12 months. He was never engaged continuously and his total attendance in each calendar year was so low that by no stretch of imagination he claimed to have completed one year of continuous service.

7. The concerned workman was interviewed for his absorption as Badli Sipahi. He appeared in the interview also but he did not qualify. It was submitted that after empanelment of Badli Sipahi the management stopped practice of engaging casual workers in normal circumstances. Since he was never engaged on any permanent post, there was no question of stopping him from his duty. He also never reported for casual employment after 8th December, 1987. The management while giving parawise reply denied that the concerned workman had put 240 days of attendance in every calendar year and for that he could be deemed to have put continuous service as provided under Section 25B of the I. D. Act, 1947. The management in para-12 has given out figure of engagement of the concerned workman yearwise showing that he worked for 51 days, 71 days, 45 days and 145 days respectively in the year 1984, 1985, 1986 and 1987. On these grounds it was submitted that the concerned workman has got no cause and the Award be passed accordingly.

8. The question for consideration would be as to whether the concerned workman can be ordered to be employed as Badli Sipahi with full back wages?

9. The concerned workman claims to have been employed in the Regional Office of the Bank of India, Mazaffarpur as Badli Sipahi. The management on the other hand claim that he was engaged as casual labour as and when required basis. It was stated that he was engaged on various kinds of unskilled job during December, 1983 to December, 1987. It may be mentioned that the word "employed" and "engaged" are quite distinct words. The word "employed" definitely conveys the meaning something in the nature of employment. Admittedly, the concerned workman did not produce any letter or document showing his employment as Badli Sipahi. Definitely from the document it appears that he was engaged to work as Badli Sipahi for certain period.

10. Admittedly, during the period from December, 1983 to December, 1987 he worked in different capacity. MW-1 Shri Madhusudan Singh and MW-2 Shri N. K. Verma both managers, have stated that the concerned workman was engaged as casual labour and he worked as such under their supervision. Shri Singh stated that the main function of the concerned workman was to carry stationery from one place to another which was purely temporary. MW-2 stated that he used to be engaged if and when necessary like other casual labour. In this connection we may have a look to the vouchers (Ext. M-1) series revealing the nature of work done by the concerned workman. Admittedly, the concerned workman was paid through vouchers and he used to sign on the back of the vouchers in token of receipt of payment. Ext. M-1 to M-1/10 shows that he was engaged as Badli Sipahi during the year 1984. Ext. W-2 is the certificate granted by the Regional Manager to the effect that the concerned workman worked as Badli Sipahi, Tea Water Boy for 51 days satisfactorily during the period from December, 1983 to August, 1984. Prima facie I find no reason to disbelieve this certificate and the vouchers. Other vouchers under Ext. M-1 series will show that the concerned workman had been doing in stationery and other department. He was mostly doing unskilled work and was paid coolie charges. He was also engaged to sprinkle water on khos khas. This was also engaged to sprinkle water on khas for few days and for the whole month and this conclusively proves that he was engaged if and when required. In the circumstances it will be wrong to suggest that he was employed as Badli Sipahi.

11. The next question that arises for consideration is as to whether the concerned workman worked continuously as casual labour. It is the consistent case of the concerned workman that he worked for more than 240 days in each calendar year except the year 1984. In this way he wanted to impress upon that he completed more than 240 days attendance in every calendar year and that he was holding a continuous service. Continuous service is defined under Section 25B of the I.D. Act. It was also contended that since he was in continuous service his stoppage from the work without complying with the provision of Section 25F of the I.D. Act was illegal and without jurisdiction. The workman in order to prove this contention has proved a chart under Ext. W-4. But the witness did not state as to who had prepared that chart and what was the occasion to prepare it.

The concerned workman WW-1 stated that it bears the signature of the Manager Shri R. K. Jain. I have carefully perused the document. The signature is quite vague and uncertain. It is just like a tick mark without noting the designation. The question is as to why it was prepared and for what purpose it was signed by the authority. Nothing has been explained in the evidence of the concerned workman. In the circumstances the document Ext. W-4 cannot be believed and the concerned workman was yet to prove that he completed 240 days attendance in a calendar year. Definitely there is no law that a workman completing 240 days of attendance will be necessarily regularised but the management has, from time to time, been taking policy decision to regularise those casual labour who have completed 240 days in a calendar year.

12. The concerned workman while deposing as WW-1 stated that his attendance was marked. The management has denied this fact. MW-1 and MW-2 stated that no attendance register was maintained for casual labours. I also think that no attendance register is required to be maintained for casual labours. In this connection no rule or the law was produced that attendance register has to be maintained even for the casual labours. In cross-examination the witness stated that he was being paid through vouchers. He also stated that he was getting his wages although for the work done by him and no amount was due with the management. It may be mentioned here that the management has proved all the vouchers through which the concerned workman was paid. These vouchers show that he worked only for few days and not continuously for the month. It may be mentioned that the concerned workman never stated that those vouchers were incomplete and that the entire vouchers were not produced by the management.

13. Ext. M-3 series are the chart showing the days worked by the concerned workman. It was prepared on the basis of vouchers. I think it was not necessary at all to prepare because the vouchers were already there to count and calculate the working days. It does not bear the signature of any authority.

14. Ext. W-5 series are the photo copies of applications filed by the concerned workman with the proper authority for payment of wages for the days of work done by him. Ext. W-5/1 is for the year 1988. It is nowhere the case of the concerned workman that he worked even in the year 1988. Other applications do not mention the year. The concerned workman has signed without any date or the month. Even supposing for the sake of argument that the concerned workman worked for these days apart from the days shown in the vouchers, it will not qualify the test of continuous service as defined under Section 25B of the I.D. Act. Thus for the reasons stated above I am to hold that the concerned workman did not worked 240 days in any calendar year and therefore the management was not required to issue any chargesheet for any misconduct or to observe the procedure as laid down under Section 25F of the I.D. Act.

15. Admittedly, the concerned workman was called for interview for empanelment as Badli Sipahi. The photo copy of the letter dt. 17-5-85 is with respect to preparation of panel for Badli Sipahi. MW-4 is the Chief Officer of the Personnel Department. He explained that prior to letter dt. 17-5-85 there was no system of engaging Badli Sipahi rather these persons were chosen from the open market on pick and choose basis but subsequently four circulars were issued by the authority namely Zonal Manager for empanelment of Badli Sipahi. These circulars have been marked Ext. M-4 series. This witness stated that after issuance of the first circular dated 30-5-85 the management called for the names from the Employment Exchange for making a panel of Badli Sipahi. The Employment Exchange Office had sent names with enclosures which has been marked Ext. M-5. The name of the concerned workman was also sponsored by the Employment Exchange and he was directed to submit his bio-data. The letter issued to the concerned workman in this connection is Ext. M-7. M-8 is the bio-data of the concerned workman. The interview letter dated 2-9-85 is Ext. M-9. The concerned workman also appeared for interview before the selection committee in which this witness acted as Chairman. There were two other members also and the committee allotted

the marks on the basis of the performance of individual candidates. Ext. M-10 is the chart showing the names of the candidates who were called for interview and the name of the concerned workman appears at Sl. No. 11. The witness stated that the Zonal Office had decided the cut off point at 6.2 but the concerned workman got only 4.7 and that was why he could not be selected. In cross-examination the witness explained that the members of the committee tested the knowledge of Hindi, English and Arithmetic of the candidates. He also stated that the candidates sponsored from the Employment Exchange were both new and old. They included also the candidates who are working as casual workers in the Bank. Admittedly, there was a direction from the Zonal Office that the candidates who had put in at least 30 days will be given preference. The witness stated that they had followed the instructions. He also stated that as per direction the candidates not selected were to be stopped. It was suggested to the witness that the selection was not done in fair manner and everything was done just to favour certain candidates. The suggestion has been denied by the witness.

16. I have carefully examined the evidence of MW-4 and from his evidence nothing has been illucidated to show that any partiality was done in case of any candidates. The learned for the workman submitted that the concerned workman had worked for 51 days as Badli Sipahi and even then his case was not considered and the direction of the Zonal Officer was completely ignored in this case. No doubt the concerned workman had worked in the Bank in different capacities and also as Badli Sipahi for sometimes but passing in the examination is quite a different thing. Normally it is believed that a candidate having some working experience will qualify in the test but it is not always necessary.

17. I have examined various aspects of the matter and I am to hold that the action of the management cannot be held to be illegal and unjustified in stopping the concerned workman from his work. However, the management has also stated that the concerned workman did not turn up for casual employment after December, 1987. It is also true that the concerned workman had some experience as Badli Sipahi and it was sheer misfortune on his part that he could not be selected for empanelment as Badli Sipahi. Nevertheless the management is directed to engage the concerned workman as casual labour as a special case and to consider his case sympathetically whenever any occasion will arise for fresh empanelment of Badli workman.

This is my Award.

B. RAM, Presiding Officer.

नई दिल्ली, 18 मई, 1994

का.ग्रा. 1335.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, पंजाब एण्ड सिन्ध बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-94 को प्राप्त हुआ था।

[संख्या एल-12012/601/89-डी-2(ए) आई आर (बी-2)]
बी. के. शर्मा, डैस्क अधिकारी

New Delhi, the 18th May, 1994

S.O. 1335.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of PUNJAB AND SIND BANK and their workmen, which was received by the Central Government on 17-5-94.

[No. L-12012/601/89-D.IIA/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I. D. 114/90

Hazara Singh Vs. Punjab & Sind Bank

For the workman : Sh. Kirpal Singh Malka.

For th management : Sh. Kanwal Jit Singh.

AWARD

Central Govt. vide gazettee notification no. L-12012/601/89-D.IIA dated 29-8-90 issued Under Section 10(1)(d) of Industrial Dispute Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of management of Punjab and Sind Bank, Gurdaspur in terminating services of Shri Hazara Singh S/o Shri Mohan Singh, Guard w.e.f. 2-9-1985 is justified ? If not what other relief the workman is entitled to and with what effect ?"

2. Case of the petitioner as set out in the statement of claim that he joined with the respondent bank on 12-7-84 as bank guard. He was drawing Rs. 450/- per month. His services were terminated w.e.f. 02-9-1985 wrongly and illegally on account of unfair labour practice. Juniors are still in service. He has thus sought reinstatement with full back wages and continuity of service.

3. The management in their written statement has taken preliminary objection that petitioner has not approached this Court with clean hands. It was in the knowledge of the petitioner that he was never appointed as peon or bank guard but his services were engaged as special police officers by the S.S.P. Gurdaspur on the basis of the decision taken in the meeting held under the Chairmanship of Shri Surinder Nath advisor to Governor of Punjab with Bank Officers held on 27-3-1984 for deployment of special police officers at the branches due to insecure atmosphere. The said SPOs will work under the discipline and control of S.S.P. It was further made clear that all such SPOs employed, that they are not the regular employees of the bank and should not therefore, harbour in their minds any claim for permanent employment or other concessions which are available to the bank employees. The bank was only required to pay honorarium @ Rs. 15/- per day which the bank was supposed to deposit with the local SHO/SSP office. The petitioner was never employed by the bank. The management also referred the Civil Writ Petition No. 1671 of 1988 filed by the SPOs for their regularisation which was dismissed on 9-7-1991. On merits the plea of the management that since appointment of the petitioner was by SSP of the district, therefore, there is no question of terminating the services of the petitioner by the bank. There is no malafide intention on the part of the respondent bank because the petitioner was never employed by the bank therefore, there is no question of terminating the services of the petitioner and also there is no question that his juniors are still working. The management thus sought the dismissal of this reference.

4. Replication as also filed reasserting the same facts as claimed in the claim statement. He also states that in compliance of the order of the SSP he reported for duty with the respondent bank.

5. The petitioner in support of his case produced WW1 Prem Kumar Head Constable from the office of SSP Gurdaspur and got proved the documents Ex. W1 the policy for the appointment of SPO. WW2 Virda Singh from SSP Office Gurdaspur. He has proved Ex. W2 & Ex. W3 the sanction and extension of SSP for the appointment of SPOs. Name of Hazara Singh figures at No. 11. In cross-examination he has admitted that the appointment of the petitioner as SPO was made by SSP in accordance with the policy. The petitioner produced himself as WW3. He filed his affidavit Ex. W4. He also admitted in cross-examination that he was appointed by the SSP Gurdaspur. The duty was also given by the SSP. The management has not led any evidence but tendered the judgement of the High Court Ex. M1 and closed their evidence.

6. I have heard both the parties, gone through the evidence and record.

7. It is simple case wherein in the light of deteriorating law and order situation in Punjab State it has been thought fit by the police department to provide SPOs at vulnerable branches and their honorarium was left to be paid by the bank branches so guarded. In this connection Ex. W1 is the minutes of the meeting of the bank officers held with the advisor to Governor Punjab in connection with the deployment of SPO at vulnerable branches of the bank stipulating various instructions and conditions of which minutes of meeting is that for all the branches guards will be provided by the district supdt. of police after selecting suitable ex-servicemen who will be appointed as SPOs in terms of Section 17 of the Police Act and the management of each branch will arrange to pay each SPO honorarium @ Rs. 15 per day for the full period of 30/31 days in the month. It also stipulates in the meeting, that it will be made plain to all individuals employed of this duty that they are not regular employees of the bank and should not, therefore, harbour in their mind any claim for permanent employment and other concessions which are available to the bank employees. It is in this context the petitioner was employed in the said branch. The petitioner himself has admitted that he was appointed by the SSP district Gurdaspur. Duty was also given by the SSP. He was required to perform duty at the Bank. It is also evident from the evidence of WW2 Virsa Singh who has proved the sanction of the SSP for the appointment of SPO indicating the name of petitioner Hazara Singh figures at serial number 11. Thus it is established that the recruitment of the petitioner was done by the Supdt. of police as SPO @ Rs. 15/- per day as honorarium. The management has also referred the various provisions of the Police Act 1952 which envisages appointment of SPO at the cost of the individual U/S 13 of the Police Act which provides that the district superintendent of police and officer senior to him on the application of any person depute any number of police officers at the charge of the person making the application. There is also enough evidence to show that the present petitioner was appointed as SPO by the police authorities in context of Section 17 & 18 of the Police Act and with reference to the minutes of the meeting held by the bank authorities with the advisor to the Governor of Punjab as referred above. The present petitioner never shown to have applied to the bank and the respondent bank never issued any appointment letter to him. There is no relationship of master and servant between the bank and the petitioner. There is no evidence on the record that any regular cadre of SPOs was created by the bank. The petitioner was certainly adhoc employee of the police department and not the employee of the respdt. bank. There is no question of terminating the services of the petitioner by the respdt. bank and thus there is no question of violation of any provision of the Industrial Disputes Act 1947.

8. The matter was already under consideration with the Hon'ble Punjab & Haryana High Court wherein it has been decided in LPA No. 209/92 of Gurdeep Singh & others Vs. State of Punjab & others decided on 6-9-1993 copy of which has been placed on the record as Ex. M1. It has been held as follows :

"As regards the banks reimbursing the police authorities in respect of honorarium paid by them to the special police officers, this circumstance can not be construed as creating between the banks and the special police officers any relationship of master and servant".

It has further been held as follow :

"such being the situation, there can be no escape from the conclusion that the relationship of master and servant of special police officers is with the state government and not with the banks. This being so, no question of their equation with bank guards in the matter of pay and allowances can arise. Bank guards, unlike special police officers being regular employees of the bank, appointed to a distinct cadre as such."

9. Therefore, in view of the discussions made in the earlier paras the following the ratio laid down in Gurdeep Singh's case (Supra) in LPA No. 209/92 the petitioner is not entitled to any relief.

10. Hence nothing survive in the proceedings initiated by the petitioner and he is not entitled to any relief what-so-ever.

ARVIND KUMAR, Presiding Officer

Chandigarh.
4-5-1994.

नई दिल्ली, 18 मई, 1994

का. आ. 1336.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, सेंट्रल बैंक आफ इंडिया के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-94 को प्राप्त हुआ था।

[संख्या एल-12012/259/90—आर आर(बी-2)]

वी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 18th May, 1994

S.O. 1336.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 17-5-94.

[No. L-12012/259/90-IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 196/90

Gurdip Singh Vs. Central Bank of India

For the workman : Shri S. S. Bains.

For the management : Shri Yogesh Jain.

AWARD

Central Govt. vide gazette notification No. L-12012/259/90-I.R.(B II) dated 3-12-1990 issued U/S 10(1)(d) of the Industrial Disputes Act 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India in terminating the services of Shri Gurdip Singh, armed guard is justified ? if not to what relief is he entitled ?"

2. Case of the petitioner as set out in the statement of claim that he was appointed as SPO Armed guard w.e.f. 10-3-1986 at Ferozepur Cantt. branch of the bank. His services were terminated w.e.f. 22-6-1988 illegally. He was paid initially Rs. 15 per day but the same was subsequently enhanced by the

bank to Rs. 30/-. In addition to the aforesaid wages he was being provided with uniform which was sanctioned on 26-8-1987. Salary was being paid by the bank from the staff account. The management has not complied with the provisions of Section 25-G and 25-F of the Industrial Disputes Act 1947 before terminating his services. No compensation was paid. No show cause notice was issued and no opportunity was given. He has thus sought the reinstatement with full back wages.

3. The management in their written statement has taken the preliminary objection that the reference is bad in the eyes of law as there is no relationship of master and servant with the bank. Dispute is false and frivolous. Keeping in view the law and order situation in Punjab it was decided for providing additional force for guarding various bank branches in the state of Punjab. Additional force was to be created by recruiting persons U/S 17 of Police Act, besides this it was also decided that the services of SPOs so empanelled will be utilised by a particular bank on a requisition received from the said bank to the local SHO/S.P. Initially an arrangement to pay the honorarium @ Rs. 15/- per day was made which was subsequently enhanced to Rs. 30/- per day. SPOs so deputed were paid honorarium through police authorities. No wages or salary was paid to such SPOs at any point of time and the petitioner is estopped by raising the dispute on account of his own act and conduct. On merits the plea of the management that the bank was nowhere connected with any administrative control over the SPOs so deployed. There was no privity of contract between the petitioner and the bank. However it was not incumbent upon the police authorities to depute the same person to the branch where he was earlier deputed. It was purely the prerogative of the SHO to depute any of the person empanelled on the requisition made by the bank. More over it was denied that the services of the petitioner was terminated. Grievance of the petitioner for his not deploying elsewhere can be redress by him with the police department and not with the bank. Further the plea of the management that as per bank's recruitment policy names of ex-servicemen were to be sponsored by the respective Sainik Boards which some time included SPOs. As per recruitment procedure SPOs and the persons whose names were sponsored by Sainik Boards were to fulfill eligibility criteria were called for interview and only those who were successful were given appointment in the bank. Thus the plea of the management that claim of the petitioner deserves dismissal.

4. In support of his case petitioner produced himself as WW1. He filed his affidavit Ex. W1 in evidence. The management has not led any evidence. They placed on the record the judgement of the Hon'ble High Court dated 19-7-1991 in CWP No. 1671/88 alongwith minutes of meeting dated 27-3-84 with the Advisor to Governor Punjab of the senior officers of the Bank.

5. I have heard both the parties, gone through the evidence and record.

6. The petitioner in his own showing in the statement claim was appointed as SPO/armed guard w.e.f. 1311 GI/94—10.

10-3-1988. It is a simple case wherein in the light of deteriorating law and order situation in Punjab State it has been thought fit by the police department to provide SPO at vulnerable branches and their honorarium was left to be paid by the bank branches so guarded. In this connection minutes of the meeting dated 27-3-1984 between the Advisor to Governor Punjab with the senior officers of the banks has been placed on the record. The said meeting was in connection with the deployment of SPOs at vulnerable branches of the banks and also stipulates that various instructions and conditions of which minutes of meeting is that for all the branches guard will be provided by the district supdt. of police after selecting suitable ex-servicemen who will be appointed as SPOs in terms of Section 17 of the Police Act and the management of each branch will arrange to pay each SPO honorarium @ Rs. 15 for the full period of 30/31 days in the month. It also stipulates in the meeting, that it will be made plain to all individuals employed of this duty that they are not regular employee of the bank and should not, therefore, harbour in their mind any claim for permanent employment and other concessions which are available to the bank employees. It is in this context the petitioner was employed at Ferozepur Cantt. branch of Central Bank of India on payment of Rs. 15 honorarium per day which was later on enhanced to Rs. 30 per day. The management has also referred the various provisions of the Police Act 1952 which envisages appointment of SPO at the cost of the individual U/S 13 of the Police Act which provides that the district superintendent of police and officer senior to him on the application of any person depute any number of police officers at the charge of the person making the application. The petitioner has also not shown to have received any appointment letter from the bank. It is apparently evident from the file that the present petitioner was appointed as SPO by the police authorities in context of Section 17 & 18 of the Police Act and with reference to the minutes of the meeting held by the bank authorities with the Advisor to the Governor of Punjab as referred above. The petitioner has not shown to have even applied to the bank and the bank never issued any appointment letter to him. There is no relationship of master and servant between the bank and the petitioner. There is no evidence on the record that any regular cadre of SPOs was created by the bank. The petitioner was certainly ad hoc employee of the police department and not the employee of the respdt. bank. There is no question of terminating the services of the petitioner by the respdt. bank and thus there is no question of violation of any provision of the Industrial Disputes Act 1947.

7. The matter was already under consideration with the Hon'ble Punjab and Haryana High Court wherein it has been decided in LPA No. 209/92 of Gurdip Singh and others Vs. State of Punjab and others decided on 6-9-1993 copy of which has been placed on the record. It has been held as follow :

"As regards the banks reimbursing the police authorities in respect of the honourarium paid by them to the special police officers this circumstance can not be construed as creating between the banks and the special

police officers, any relationship of master and servant."

It has further been held as follow :

"Such being the situation, there can be no escape from the conclusion that the relationship of master and servant of special police officers is with the state government and not with the banks. This being so, no question of their equation with bank guards in the matter of pay and allowances can rise. Bank guards, unlike special police officers being regular employees of the bank, appointed to a distinct cadre as such.

8. Therefore, in view of the discussions made in the earlier paras and following the ratio laid down in Gurdeep Singh's case (Supra) in LPA No. 209/92 the petitioner is not entitled to any relief.

9. Hence nothing survive in the proceedings initiated by the petitioner and he is not entitled to any relief what-so-ever.

Chandigarh.

Dt. 5-5-1994

ARVIND KUMAR, Presiding Officer

नई दिल्ली, 19 मई, 1994

का.आ. 1337 .—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वर्क्स मैनेजर, पश्चिमी रेलवे (डब्ल्यू. आर.एस.) कोटा के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, को के पंचपट को प्रकाशित, करती है, ज के सरकार को 17-5-94 को प्राप्त हुआ था।

[संख्या एन-41011/42/88/डी-2(बी)-बी-I]

बी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th May, 1994

S.O. 1337.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Works Manager, Western Railway (W.R.S.) Kota and their workmen, which was received by the Central Government on the 17-5-94.

[No. L-41011/42/88-D-2(B)[B.I.]

V. K. SHARMA, Desk Officer

अनुबन्ध

व्यापारी, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा (राज.)

निर्देश प्रकरण क्रमांक : आ. स्या. (केन्द्रीय) -11/1989

दिनांक स्थापित : 12-9-89

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेशांक

एन-41011/42/88-डी-2 (बी) दिनांक 29-8-89

औद्योगिक विवाद अधिनियम, 1947

मध्य

डिविजनल सेक्रेटरी, पश्चिम रेलवे कर्मचारी परिषद, कोटा।

--प्रार्थी यूनियन

एवं

वर्क्स मैनेजर, पश्चिमी रेलवे (डब्ल्यू. आर.एस.) कोटा।

--प्रतिपक्षी नियोजक

उपस्थित

श्री जगदीश नारायण शर्मा,

आर.एस.जे.एस.

प्रार्थी यूनियन की ओर से प्रतिनिधि :-- श्री ए.बी. मोरार

प्रतिपक्षी नियोजक की ओर से प्रतिनिधि :-- श्री हुबलाल,

सहा. कार्मिक अधिकारी

अधिनियम दिनांक : 5 अप्रैल, 1994

: अधिनियम :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम, 1947" से सम्बोधित किया जावेगा) की धारा 10(1) (ब) उपधारा (2क) के अन्तर्गत इस न्यायाधिकरण को अधिनियमार्थ सम्प्रेषित किया गया है :-

"Whether the action Chief Works Manager, Western Railway, Kota is justified is not regularising the following adhoc clerks with retrospective effect ? If not, to what relief the workmen are entitled to ?"

1. Sh. Om Prakash
2. Shri Joy William
3. Sh. Brahmanendra Misra
4. Sh. Morilal
5. Sh. Morarilal
6. Sh. Mohan Lal

2. निर्देश न्यायाधिकरण में प्राप्त होने पर वर्ज रजिस्टर किया गया व पक्षकारों की सूचना जारी की गयी, तदुपरान्त दोनों पक्षों की ओर से अपने-अपने प्रत्यावेदन प्रस्तुत किये गये। उक्त निर्देश में वर्णित 6 श्रमिक-गण सर्वश्री भोमप्रकाश, श्रीजाय विलियम, ब्रह्मेन्द्र मिश्रा, होरीलाल मोलरियालाल व मोहनलाल के सम्बन्ध में प्रार्थी श्रमिक यूनियन के मण्डल मंत्री की ओर से क्लेम प्रस्तुत कर यह श्रमिकवित्त किया गया है कि ये सभी श्रमिकगण प्रतिपक्षी नियोजक के कोटा स्थित कारखाने के विभिन्न खातों में कार्यरत थे। प्रतिपक्षी के आदेश दिनांक 31-8-81 एवं 12-11-81 के द्वारा 260-400 के वेतनमान में लिपिक पद हेतु वे सौंग स्थित हुए और प्रतिपक्षी के आदेश दिनांक 9-7-81 के अन्तर्गत उन्हें लिपिक के पद पर पवस्थ किया गया। उक्त पवस्थ मण्डल, लिपिक के 8 ऐसे पदों हेतु जो तत्पुर्व श्रेणी के कार्यरत कर्मचारियों द्वारा भरे जाने थे, गठित किया गया था जैसा कि प्रतिपक्षी की विज्ञप्ति दिनांक 6-1-81 से स्पष्ट है। प्रतिपक्षों ने एक दूसरी विज्ञप्ति 9-3-82 की जारी की जिसमें यह वर्णन था कि इसी प्रकार लिपिक के 6 पद और उपलब्ध होने के कारण लिपिकों के पदों की संख्या 14 हो गयी और 14 कर्मचारियों को लिपिक के पद हेतु हेतु पेनल में रखा गया। वर्तमान में जो श्रमिक हैं, उनके नाम इस पेनल के क्रम सं. 3, 4, 6, 11, 12 एवं 14 पर रखे गये। ऐसी अवस्था में कर्मचारों की पदोन्नति की तारीख से जो उनकी नियमित करना प्रतिपक्षी का दायित्व था, किन्तु कर्मचारों का नियमितकरण करने से जानबूझकर बिलम्ब किया गया जिससे क्षुब्ध होकर श्रमिकगण ने समझौता

अधिकारी के यहाँ प्रकाशित की। यह समझौता वातां इसलिये असफल हुई क्योंकि प्रतिपक्षी की ओर से कर्मचारियों को नियमित करने की यह शर्त लगाई गयी कि इन कर्मचारियों को प्रार. डब्ल्यू. सी. टी. (जिसे तदुपरांत हिस्वी अर्थ में "रेल वर्क्स क्लासिफिकेशन ट्रिब्यूनल" से स्पष्ट किया जाता है) की सिफारिश के अन्तर्गत प्राप्त एरियर को वापस नहीं करना होगा, अर्थात् जो राशि अमिक उठा चुके हैं, वह राशि उन्हें वापस करनी होगी। यह शर्त सर्वथा अनुचित थी और समझौता अधिकारी ने भी प्रतिपक्षी को आदेश दिया था कि वे इस प्रकार का कोई नियम ऐसा करें जिसके अन्तर्गत यह राशि अमिकों द्वारा वापस ली जा सके, परन्तु इस प्रकार का कोई नियम प्रतिपक्षी की ओर से नहीं बताया गया और इस प्रकार समझौता वातां असफल होने पर यह निर्देश किया गया। अन्त में प्रार्थना की गयी है कि इस सभी कर्मचारियों को उनके लिपिक के पद पर पदोन्नति की तारीख से ही उनका नियमनीकरण किया जाए।

3. प्रतिपक्षी ने अपने जवाब में कहा है कि लिपिकों के पद पर पदोन्नति के लिए दो अलग-अलग विज्ञप्तियां जारी की गयी थीं और इस प्रकार कुल 14 पदों के लिए लिपिक के पद पर पदोन्नति हो जानी थी। अलग मण्डल ने जिन 14 कर्मचारियों को पदोन्नति हेतु उपयुक्त पाया उनके नाम, दिनांक 12-11-81 के आदेश द्वारा अधिसूचित किया। यह आदेश पूर्णतया सामयिक (प्रोवीजनल) था जिसमें स्पष्ट कर दिया गया था कि इस पेनल में से जितने भी कर्मचारी पदोन्नत कर दिये जायेंगे उन्हें रेल सेवा आयोग से लिपिकों के उपलब्ध होने पर किसी भी समय बिना किसी कारण तथा नोटिस के पदावनत किया जा सकेगा। वर्तमान 6 अमिकों के नाम पेनल में क्रम सं. 3, 4, 6, 11, 12 एवं 14 पर होता स्वीकार किया गया है। जवाब में आगे कहा गया है कि क्रम सं. 4 पर जिस कर्मचारी का नाम अंकित है वह अपनी ट्रेड में अतिकुशल पेंटर के पद पर पदोन्नत होकर शीप फ्लोर पर चला गया है और अन्य 5 कर्मचारियों के सम्बन्ध में मान्यताप्राप्त संगठनों के साथ समझौता हुआ। समझौते के लिए यह संयुक्त बैठक 30-3-88 की हुई जिसमें लिये गये निर्णय के अनुसार 13-7-88 के आदेश द्वारा कनिष्ठ लिपिक/कनिष्ठ समयपाल श्रेणी में 23 1/2% रैकर्स कोटे में सामयिक रूप से नियमित कर दिये गये। इस कार्यलय आदेश में यह भी स्पष्ट कर दिया गया था कि 30-3-88 को सम्पन्न हुई संयुक्त बैठक में दिये गये निर्णय के अनुसार वे कर्मचारी जोकि सीधी भर्ती के कोटे के अन्तर्गत कार्यरत हैं, उन्हें रेल सेवा आयोग के अभ्यर्थियों के आने पर उनके मूल पद पर पदस्थ किया जा सकेगा और इस सम्बन्ध में कोई प्राप्ति या बाधा प्रशासन को मान्य नहीं होगा। इसके परन्तु इन कर्मचारियों को बाध में उनके कार्य करने की तिथि जो आदेश में प्रकृत है, से पुनः वेतन शृंखला में निर्धारित कर दिया गया है।

4. अमिक पक्ष की ओर से अमिक प्रोमप्रकाश और मोहरियालाल के बयान कराये गये जिनसे प्रतिपरीक्षा भी की गयी। दोनों पक्षों की ओर से प्रलेख भी प्रस्तुत किये गये जिनका यथासमय उत्तर दे दिया जावेगा। प्रतिपक्षी की ओर से कोई साक्ष्य उपस्थित नहीं हुए, उन्हें साक्ष्य प्रस्तुत करने के लिए कई अवसर दिये गये और अन्त में जब उन्होंने कोई साक्ष्य प्रस्तुत नहीं को तो दिनांक 28-9-93 के आदेश द्वारा उनको साक्ष्य बन्द की गयी। दोनों पक्षों को सुना गया। व पत्रावली तथा अभिलेख का ध्यानपूर्वक अवलोकन किया गया।

5. अपनी साक्ष्य में अमिक प्रोमप्रकाश ने कहा है कि उसकी नियुक्ति 8-8-70 की प्रतिपक्षी के अधीन खल्लासी के पद पर की गयी थी। इसी प्रकार अन्य अमिक मोहरियालाल ने कहा है कि उनको नियुक्ति दिनांक 27-10-70 की खल्लासी के पद पर की गयी थी दोनों गवाहों ने कहा है कि प्रतिपक्षी के यहाँ से लिपिक के पद पर पदोन्नति के लिए दो विज्ञप्तियां जारी की गयीं जिनमें कुल 14 पद थे और विज्ञप्तियों की शर्तों के अनुसार वे सींग 3 वर्ष की अवधि प्रतिपक्षी के यहाँ पूरी कर चुके थे इसलिए इसने आवेदन तब दिया और चयन प्रक्रिया पूरी करने

के पश्चात इन सभी 6 अमिकों को पदोन्नति के लिए तैयार किये गये पेनल में रखा गया और सभी 6 अमिकों को 9-7-81 के आदेश के द्वारा लिपिक के पद पर पदोन्नत कर पदस्थ किया जा चुका था। इसी पेनल में से एक लिपिक साध्विन्द्रसिंह नान्दा को प्रतिपक्षी ने अपने आदेश दिनांक 3-6-83 के द्वारा लिपिक के पद पर नियमित कर दिया, किन्तु इन 6 अमिकगण को 5 साल की अवधि निकालने के पश्चात भी नियमित नहीं किया गया इसलिए उन्होंने वर्तमान विवाद उठाया। लिपिकों की वरिष्ठता की सूची 11-8-88 को प्रकाशित की गयी थी जिसमें अमिकगण का नाम 46, 48, 53, 54, 55 पर था तथा एक अन्य व्यक्ति मंजुमद अजोम का नाम क्रम सं. 60 पर था। मंजु. अजोम को 11-12-84 से वरिष्ठ लिपिक के पद पर पदोन्नत कर दिया गया जबकि बाकी 5 अमिकगण जो मंजु. अजोम से वरिष्ठता सूची में ऊपर थे, उनको इस लाभ से वंचित रखा गया। इस प्रकार इस साक्ष्य के विरुद्ध प्रतिपक्षी की ओर से कोई साक्ष्य उपलब्ध नहीं कराया गया। जब अमिकगण को एक खास तिथि से कनिष्ठ लिपिक के पद पर पदोन्नति दी गयी तो वे पदोन्नति की तिथि से ही नियमित क्यों न किये जायें, इस सम्बन्ध में प्रतिपक्षी की ओर से कोई नियम नहीं बताया गया और न कोई साक्ष्य उपलब्ध कराया गया। उनकी सेवा शर्तों में उन्हे पदोन्नति की तिथि से नियमित न किया जाए, इस प्रकार की कोई शर्त या कोई नियम भी प्रतिपक्षी की ओर से नहीं बताया गया और न ही इस सम्बन्ध में कोई साक्ष्य प्रस्तुत करके यह सिद्ध कराने को चेष्टा की गयी है कि इन अमिकगण को उनको पदोन्नति की तिथि से ही क्यों नियमित न किया जाय। अतः सभी अमिकगण जिन दिन से उन्हें पदोन्नत किया गया है, पदोन्नति की तिथि से ही पदोन्नत पद पर नियमित किये जाने के अधिकारी हैं और उसके समरूप जो भी लाभ देय हों, वह भी प्राप्त करने के अधिकारी हैं।

6. उक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश को इस प्रकार उलरित किया जाता है कि प्रतिपक्षी बीक वर्क्स मैनेजर, वेस्टर्न रेलवे (डब्ल्यू. प्रार. एस.) कोटा द्वारा निर्देश में वर्णित अमिकगण को उनको पदोन्नति तिथि से ही पदोन्नत पद पर नियमित न किया जाना अनुचित है, फलस्वरूप वे सभी अमिकगण जिस दिन से कि उनका पदोन्नति हुई है, पदोन्नति तिथि से ही पदोन्नत पद पर नियमित किये जाने के अधिकारी हैं और उनके समरूप जो भी लाभ देय हों, वह भी प्राप्त करने के अधिकारी हैं।

इस अधिनियम की भारत सरकार, श्रम मंत्रालय, नई दिल्ली को नियमानुसार प्रकाशनार्थ भिजवाया जावे।

जनदीन नारायण शर्मा, स्याधोषण,
औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा

नई दिल्ली, 19 मई, 1994

का. आ. 1338:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिविजनल रेलवे मैनेजर, पश्चिम रेलवे, कोटा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-94 को प्राप्त हुआ था।

[संख्या एल- 41011/7/90-आईआर (डीयू)/आईआर (बी-1)]

वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th May, 1994

S.O. 1338.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Divisional Railway Manager, Western Railway, Kota and their workmen, which was received by the Central Government on the 17-5-94.

उपस्थित

श्री जगदीश नारायण शर्मा,
आर. एच. जे. एम.

[No. L-41011/7/90-JR|DU|IR(B.I)]

V. K. SHARMA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा/राज./
निर्देश प्रकरण क्रमांक : ओ. न्या. (केन्द्रीय) -9/1991
दिनांक स्थापित : 1/7/91

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के
आदेशांक एन. 41011/7/90 आई आर (डी. यू.)
दिनांक 4-6-91

औद्योगिक विवाद अधिनियम, 1947
मध्य

डिविजनल मेकेट्री, पश्चिम रेलवे कर्मचारी परिषद, स्टेट
बैंक आफ बीकानेर एण्ड जयपुर के सामने, भीमगंज मण्डी,
कोटा।

---प्रार्थी युनियन

एवं

डिविजनल रेलवे मैनेजर, वेस्टर्न रेलवे, कोटा।

---प्रतिपक्षी नियोजक

प्रार्थी युनियन को ओर से प्रतिनिधि :- श्री ए. टी. ग्रावर
प्रतिपक्षी नियोजक को ओर से प्रतिनिधि - श्री गिरिजा शंकर
अधिनिर्णय दिनांक 19 अप्रैल, 1994

अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न
निर्देश औद्योगिक विवाद अधिनियम, 1947 की धारा 10
(1) (घ) व उपधारा (2-क) के अन्तर्गत इस न्यायाधिकरण
को अधिनिर्णयार्थ सम्प्रेषित किया गया है :—

“Whether the action of Divisional Railway
Manager, Western Railway, Kota is justified
in not assigning seniority to the workmen
mentioned in list No. 1 above workmen
mentioned in list No. 2. If not, what relief
the workmen of list No. 1 are entitled to ?”

List No. 1

Sl. No.	Name & Father's names	Date of Appointment	Date of Screening	Date of T.S. gained.
1	2	3	4	5
1.	Israr Beg-Sarbuiddin Khan	7-5-80	17-10-85	7-6-84
2.	Mohd. Kamal --Mohd. Ibrahim	22-10-79	17-10-85	5-5-84
3.	Mahendra Singh--Darshratal	30-4-80	17-10-85	5-5-84
4.	Ramesh Chand--Mathuralal	30-4-80	17-10-85	5-5-84
5.	Babulal--Anandilal	12-6-84	17-10-85	12-6-84
6.	Jagdish Soni--Hajarilal	22-2-84	13-1-86	22-9-84
7.	Abdul Waheed--Abdul Gaffar	30-6-84	13-1-86	14-9-84
8.	Matadin--Dhannalal	22-9-84	13-1-86	22-9-84
9.	Babulal--Ramnath	22-9-84	13-1-86	22-9-84
10.	Kailashchand --Umbalal	22-9-84	13-1-86	22-9-84
11.	Rajesh Kumar--Hotilal	22-9-84	13-1-86	22-9-84
12.	Hardayal--Harichand	2-5-78	17-10-85	9-6-84
13.	Foolchand--Surwai	30-4-80	17-10-85	9-6-84
14.	Mohammed Hameed--Mujafar Ali	23-3-78	17-10-85	4-6-84
15.	Sageer Mohammed--Hamid Khan	28-6-80	16-10-85	5-6-84

1	2	3	4	5
16.	Rameshwaroop --Rambharosi	25-5-80	17-10-85	7-8-83
17.	Kurshid Ahmed—Rashid Ahmed	25-5-80	17-10-85	7-8-83
18.	Balchand—Puran P.	25-5-80	17-10-85	7-8-83
19.	Rajkumar—Hiralal	30-4-80	17-10-85	7-8-83
20.	Shoraj Meena—K. Meena	14-9-84	13-1-86	14-9-84
21.	Nandkishor --Modulal	30-4-80	16-10-85	5-5-84
22.	Heralal—Bhawani	30-4-80	17-10-85	5-5-84
23.	Rambharos--Chhotulal	30-4-80	17-10-85	5-5-84
24.	Mohanlal—Sadhusingh	30-4-80	17-10-85	5-5-84
25.	Mansingh--Pratap Singh	14-1-78	17-10-85	14-1-78
26.	Anil Kumar--Chandresh Pal	7-5-80	17-10-85	5-5-84
27.	Antony D' Souza—D.J. D'Souza	30-4-80	17-10-85	5-5-84
28.	Udailal—Kanhialal	30-4-80	17-10-85	5-5-84
29.	Samsuddin—Nijamuddin	22-9-84	13-1-86	22-9-84
30.	Jafar Hussian—Fakir Mohd.	22-9-84	13-1-86	22-9-84
31.	Mohd. Shayar—Noor Mohammed	22-9-84	13-1-86	22-9-84
32.	Mohanlal—Mangilal	30-4-80	17-10-85	5-5-84

List No. 2

S. No.	Name of employee	Present Post	T.No.	Cleaner	Station
1	2	3	4	5	6
1.	Ravindra Singh B.	APR	1785	Cleaner	KTT
2.	Zahir Ahmed. A.	TTM	3988	„	GGC
3.	Kamal Singh K	BM/Kh.	1722	„	KTT
4.	Dinesh Kumar Mishra	TTM		„	GGC
5.	Lalit Kumar B.	APR	1782	„	KTT
6.	Hari Mohan Sharma G.	B/Boy	8885	„	SWM
7.	Madan Lal Tazipal	TTM	3987	„	GGC
8.	Dinesh Kar P.	APR	1777	„	STT
9.	Suresh Chand Verma K.	B/Boy	8903	„	SWM
10.	Rajan Singh R.	C/Boy	4510	„	GGC
11.	Shyam Sharma I.	C/Boy	4511	„	GGC
12.	Maqsood Akhtar Nagvi	IC/Boy	4516	„	GGC
13.	Dewan Singh K.	C/Boy	8882	„	SWM
14.	Gajendra Pal Singh K.	C/Boy	4512	„	GGC
15.	Sahir Ali No.	C/Boy	8887	„	SWM
16.	Amin Mohd. J.	BM/KH	2288	„	KTT
17.	Lal chand Malav N.	C/Boy	2263	„	KTT
18.	Sataya Prakash M.	B/Boy	8906	„	SWM
19.	Amar Nath	B/Boy	6310	„	IDH
20.	Ram Ratan	B/Kh.	2677	„	KTT
21.	Sudhir Kumar B.	Coalman	1741	„	KTT

1	2	3	4	5	6
22.	Yashwant Kumar P.	C/Boy	2241	Cleaner	KTT
23.	Sashi Kant S.	B/Boy	6303	"	BXN
24.	Rajeev Kumar D.	RM/KH	3686	"	KTT
25.	Girraj Prasad K.	C/Boy	4531	"	GGC
26.	Ranweer Singh R.	APR	4008	"	-do-
27.	Bharat Bushan R.	APR	1781	"	KTT
28.	Brij Narain Singh J.	C/Boy	2269	"	"
29.	Mahendra Kumar M.	APR	1777	"	"
30.	Usman Ali Ansari M.	APR	1783	"	"
31.	Munna Sharma S.	Coalman	1724	"	"
32.	Kalu Husain B.	APR	4013	"	GGC
33.	Jagdish Baghel R	B/Boy	4497	"	"
34.	Vajai Kumar Sisodiya	BM/KH	2691	"	KTT
35.	Assu Lal M.	APR	1778	"	"
36.	Sardar Singh Yed.	C/Boy	4532	"	GGC.
37.	Rajeev Singh D.	C/Boy	2245	"	KTT
38.	Mohd. Iqar P.	C/Boy	2280	"	"
39.	Munshi Ram B.	W/O/KH	3881	"	GGC
40.	Sataya Pal R.	C/Boy	2281	"	KTT
41.	Ramesh Chand Gochar	B/Boy	2260	"	KTT
42.	Santosh Kumar B.	BM/KN	4747	"	GGC
43.	Suresh Chandra Sharma	WO/KH	3890	"	"
44.	Girish Kumar D.	APR	4020	"	"
45.	Subash Chand P.	C/Boy	4524/1	"	"
46.	Vishnu Kant Sharma S.	APR	4019	"	"
47.	Pramod Kumar M.	TTM	3990	"	"
48.	Abdul Rahim Khan	BM/KH	4929	"	"
49.	Prem Chand Vashishtha	WO/KH			
50.	Ashok Kumar K.	BM/KH	2678	"	KTT
51.	Yogesh Kumar K.	"	2676	"	"
52.	Hillauddin I.	Coalman	1743	"	"
53.	Ramdev M.	"	1745	"	"
54.	Rajendra Kumar Chaturvedi	C/Boy	2230	"	"
55.	Sarvjeet S.	Coalman	1746	"	"
56.	Rakesh Kumar Mehra	B/Boy	2261	"	KTT
57.	Anil Kumar R.	BM/KH	4748	"	GGC
58.	Manoj Kumar Sexena	BM/KH	2692	"	KTT
59.	Shyam Lal R.	Coalman	1755	"	NCC
60.	Om Prakash Gehlot	"	1754	"	SGZ
61.	Jeewan Prakash Sexena	APR	4021	"	GGC
62.	Harish Chandra L.	KH	2399	"	KTT
63.	Lajja Ram Pal	Coalman	3946	"	NCC
64.	Bananiya Ram Singh Bhati	B/Boy	921/1	"	SGZ
65.	Ramdayal Tagoriya S.	RRB	8862	"	SWM
66.	Om Prakash Sharma B.	WOKH	8696	"	KTT
67.	Vishnu Dutt Rawat	B/Boy	2247	"	"
68.	Mahendra Kumar Bhatt	B/Boy	1723	"	"
69.	Satay Narain M.	BM/KH	1783	"	"
70.	Irshad Ahmed Qureshi	APR	1776	"	"
71.	Subash Chand T.	C/Boy	820/1	"	SSZ

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को सूचना जारी की गयी तदुपरान्त दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये गये।

3. आप दोनों पक्षों के विद्वान प्रतिनिधिगण उपस्थित हुए। प्रार्थी श्रमिक पक्ष की ओर से आज कोई साक्ष्य उपलब्ध नहीं कराया गया और न कोई कारण ही साक्ष्य उपलब्ध न कराने बाबत बताया गया है जबकि श्रमिक पक्ष को आज साक्ष्य पेश किये जाने हेतु अन्तिम अवसर दिया था। अतः श्रमिक पक्ष को साक्ष्य बन्द की गयी। प्रतिपक्षी की ओर से भी कोई साक्ष्य पेश नहीं करना प्रकट किया गया। तदुपरान्त प्रकरण में दोनों पक्षों को सुना गया व पत्रावली का अवलोकन किया गया। बाद पत्रावली अवलोकन यह स्पष्ट प्रकट होता है कि श्रमिक पक्ष की ओर से अपने क्लेम स्टेटमेंट के समर्थन में कोई साक्ष्य प्रस्तुत नहीं की गयी है जिनसे कि उनके कथन की पुष्टि हो सके। अतः साक्ष्य के अभाव में श्रमिकगण कोई राहत प्राप्त करने के अधिकारी नहीं है और भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश को इसी प्रकार उत्तरित किया जाता है।

इस अधिनिर्णय को समुचित सरकार को नियमानुसार प्रकाशनार्थ भिजवाया जाये।

जगदीश नारायण शर्मा, न्यायाधीश

नई दिल्ली, 19 मई, 1994

का.आ. 1339.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चीफ वर्क्स मैनेजर, वेगन रिपेयर शॉप, पश्चिमी रेलवे के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार, को 17-5-94 को प्राप्त हुआ था।

[सं. एल - 41011/11/88-डी 2 (बी)-बी - I]

बी. के. शर्मा, डैस्क अधिकारी

New Delhi, the 19th May, 1994

S.O. 1339.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chief Works Manager, Wagon Repair Shop, Western Railway, Kota and their workmen, which was received by the Central Government on 17-5-1994.

[No. L-41011/11/88-D.2(B)|B.I.]

V. K. SHARMA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा/राज०/
निर्देश प्रकरण क्रमांक : ओ. न्या. (केन्द्रीय) - 9/1989

दिनांक स्थापित : 24-7-89

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली की अधि-
सूचना/आदेश संख्या एल - 41011/11/88 - डी-2 (बी)
दिनांक 9-7-89

औद्योगिक विवाद अधिनियम, 1947

मध्य

डिविजनल सैक्रेटरी, पश्चिमी रेलवे कर्मचारी परिषद, कोटा
—प्रार्थी यूनियन

एवं

चीफ वर्क्स मैनेजर, वेगन रिपेयर शॉप, पश्चिमी रेलवे, कोटा
—प्रतिपक्षी नियोजक

उपस्थित

श्री जगदीश नारायण शर्मा,
आर. एच. के. एस.

प्रार्थी यूनियन की ओर से प्रतिनिधि — श्री ए. डी. भोवर
प्रतिपक्षी नियोजक की ओर से प्रतिनिधि — श्री हुबगल
सहा. कार्मिक अधि.

अधिनिर्णय दिनांक : 5 अप्रैल, 1994

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न
निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त
“अधिनियम, 1947” से सम्बोधित किया जायेगा) की धारा
10 (1) (घ) व उपधारा (2-क) के अन्तर्गत इस न्याया-
धिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :—

“Whether the action of Chief Works Manager,
Wagon Repair Shop, Western Railway,
Kota is justified in reverting Shri Ramyagya
Pandey from the post of Chageman w.e.f.
10-5-85 ? If not, for what relief the work-
man is entitled to ?”

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजि-
स्टर किया गया व पक्षकारों को सूचना जारी की गयी।
प्रार्थी यूनियन की ओर से श्रमिक रामभज पाण्डे के सम्बन्ध में
क्लेम प्रस्तुत कर कहा गया है कि उसे प्रतिपक्षी के आदेश
दिनांक 8-2-84 के अन्तर्गत वेतनमान 425—700 (आर)
में चार्जमेन के पद पर पदोन्नत किया गया था और 14-5-85
तक बिना किसी शिकायत के वह इस पद पर कार्यरत रहा।
फिर श्रमिक को किसी अन्य व्यक्ति के लिए रिक्त स्थान
उपलब्ध कराने हेतु 15-5-85 से बिना कोई कारण बताये
मिस्त्री के पद पर जिसका वेतनमान 380—560 (आर)
था, पदान्ता कर दिया गया था। कर्मकार को दुर्भावना
से प्रेरित होकर एक झूठा मन्त्रावृत्त फेस में उसे आरोप-
न भी दिया, इस आरोप-पत्र पर काफी लम्बे समय तक कोई
कार्यवाही नहीं कर काफी लम्बे समय में निरामित रखा
गया था ताकि श्रमिक अपनी पदोन्नति से वंचित रह जाय

क्योंकि इस आरोप-पत्र में कोई सच्चाई नहीं थी इसलिए यह आरोप-पत्र दि. 22-9-86 के प्रतिपक्षी के पत्र द्वारा निरस्त कर दिया गया। इसमें स्पष्ट है कि श्रमिक की पदोन्नति न करने की नियत से ही उसे आरोप-पत्र दिया गया था। इस आरोप-पत्र के लम्बित रखने की अवधि में कर्मकार से कनिष्ठ व्यक्तियों प्रभुदयाल एवं भीमबहादुर सिंह को 13-9-85 को चार्जमैन के वेतनमान 425—700 में पदोन्नत कर दिया गया और श्रमिक की पदोन्नति कथित अनुशासनात्मक जांच के लम्बित रहना बताते हुए लम्बित रख दी गयी।

3. प्रतिपक्षी नियोजक द्वारा अपने जवाब में कहा गया है कि रामभज पाण्डे मजदूर मिस्त्री को तदर्थ आधार पर चार्जमेन-बी वेतनमान 425—700 (संशोधित) के पद पर 3-12-82 के आदेश द्वारा पदोन्नत कर चार्ज-शोप है पद-स्थापित किया गया था। इसके पश्चात् श्रमिक पाण्डे से कनिष्ठ कर्मचारी भीमबहादुर सिंह को अवकाश रिक्तियों में पूर्णतया तदर्थ आधार पर चार्जमेन-बी (रिवीटर) के पद पर पदोन्नत किया गया। चार्जमेन-बी (रिवीटर) प्रभुदयाल को रेल विद्युतीकरण में स्वीकृत वर्कचार्ज पद पर नियुक्त किये जाने के फलस्वरूप चार्जमेन-बी (रिवीटर) के रिक्त हुए पद पर भीमबहादुर सिंह को कार्यालय आदेश दि. 12-9-83 के द्वारा लगातार रहने दिया गया। इस समय पाण्डे श्रमिक का नाम भी केडर के लिए प्रस्तावित किया गया था किन्तु निर्माण प्रबन्धक ने निर्णय लिया कि क्योंकि पाण्डे पहले से ही याई में काम कर रहा है इसलिए उसको अव्यवस्थित न किया जाए और उससे कनिष्ठ भीमबहादुर को प्रभुदयाल द्वारा रिक्त पद पर लगातार रहने दिया जाए क्योंकि पाण्डे से कनिष्ठ कर्मचारी को तदर्थ आधार पर शोप फ्लोर पर पदोन्नत कर दिया गया था इसलिए श्रमिक पाण्डे को कार्यालय आदेश 8-2-84 के द्वारा शोप फ्लोर पर भीमबहादुर सिंह को कार्य-भार संभालने की तिथि से अर्थात्, 15-9-83 से शोप फ्लोर पर तदर्थ पदोन्नति मान ली गयी और बाब में पाण्डे का स्थानान्तरण 17-2-84 के आदेश द्वारा चार्जमेन-बी (रिवीटर) के पद पर शोप फ्लोर पर कर दिया गया और भीम बहादुर सिंह चार्जमेन-बी (रिवीटर) को उनके मूल पद (अतिकुशल रिवीटर ग्रेड-1) पर पदोन्नत कर दिया गया। श्रमिक पाण्डे को स्पष्ट निर्देश दिया गया था कि उसकी पदोन्नति पूर्णतया तदर्थ आधार पर है जिनका भविष्य में उसे कोई लाभ नहीं मिलेगा। एल.बी.जी. शाखा में एक चार्जमेन बी (डब्ल्यू.आर.एफ.) के स्वीकृत के वजह पद पर तेजसिंह चार्जमेन एवं (रिवीटर ट्रेड) को नियुक्त किया गया था, अतः मान्यताप्राप्त संगठन द्वारा आपत्ति उठायी गयी कि एम. बी.जी. शाखा का पद जिस पर तेजसिंह चार्जमेन-ए कार्यरत है, डब्ल्यू.आर. एफ. ट्रेड का है, अतः उस पद पर डब्ल्यू.आर.एफ. ट्रेड का कर्मचारी ही लगाया जाए। इन परिस्थितियों में तेजसिंह को रिवीटर ट्रेड में कार्यालय आदेश 10-5-85 के द्वारा ढांचा मरम्मत-घर में पदस्थापित किया गया जिसके फलस्वरूप कनिष्ठतम चार्जमेन-ए एवं कनिष्ठतम चार्जमेन-बी श्रमिक पाण्डे को उनके मूल पद मिस्त्री पर पदोन्नत

कर दिया गया। श्रमिक पाण्डे की पदावनति किन अन्य व्यक्ति को उसके स्थान दिलाने हेतु नहीं की गयी वरन् सत्य यही है कि तेजसिंह को ढांचा मरम्मत-घर में पदस्थ करने के फलस्वरूप ही कनिष्ठतम चार्जमेन-ए व कनिष्ठतम चार्जमेन-बी पाण्डे को पदावनत किया गया था। इस पदावनति के समय पाण्डे से कनिष्ठ और कोई कर्मचारी चार्जमेन-बी के पद पर कार्यरत नहीं था। श्रमिक पाण्डे को एक अन्य विभागीय कार्यवाही में चार्जशीट अवश्य दी गयी थी किन्तु वह वापस ले ली गयी किन्तु पाण्डे की पदावनति का सम्बन्ध उस चार्जशीट से बिल्कुल नहीं है। वास्तव में पाण्डे को बिरुद्ध तदर्थ रूप से पदोन्नति दी गयी थी। पाण्डे का मेजर डीएआरएफ केम समाप्त होने पर उसका नाम भी अन्य लोगों के साथ पेनल में दि. 26-9-86 को जोड़ा गया है और पाण्डे की पदोन्नति चार्जमेन-बी (रिवीटर) के पद पर कार्यालय आदेश 3-10-86 के द्वारा 16-7-86 को अन्तिम पदोन्नति मान ली गयी तथा पाण्डे का वेतनमान संशोधित कर उसे पूरा भुगतान भी किया जा चुका है किन्तु यह लाभ 15-9-83 से नहीं दिया जा सकता क्योंकि कर्मचारी को उसके मूल मिस्त्री के पद पर 10-5-85 से पदावनत कर दिया गया था।

4. श्रमिक पक्ष की ओर से स्वयं श्रमिक रामथण का शपथ-पत्र प्रस्तुत किया गया है जबकि प्रतिपक्षी को साक्ष्य प्रस्तुत करने का अवसर दिया गया किन्तु जब प्रतिपक्षी की ओर से कोई साक्ष्य प्रस्तुत नहीं की गयी तो दि. 28-9-93 को प्रतिपक्षी का साक्ष्य बन्द कर दी गयी। दोनों पक्षों को सुना गया व पत्रावली का अभिलेख का ध्यान-पूर्वक अवलोकन किया गया।

5. श्रमिक ने अपने शपथ-पत्र में कहा है कि उसे 8-2-84 के आदेश द्वारा 15-9-83 से पदोन्नत किया गया था और 14-5-85 तक उसने संतोषजनक तरीके से अपने पद पर काम किया। फिर 21-12-83 के आदेश द्वारा उसे एक झूठा आरोप-पत्र दिया गया जिसके फलस्वरूप उससे कनिष्ठ कर्मचारी भीमबहादुर सिंह लगातार चार्जमेन के पद पर कार्य करता रहा और वेतनमान 425—700 (आर) का लाभ उठाता रहा। इस उपरोक्त अनुशासनात्मक कार्यवाही को प्रतिपक्षी द्वारा व्यर्थ में ही लम्बा खेंचने की चेष्टा की गयी और 3 वर्ष के अन्तराल के बाद यह कार्यवाही समाप्त हो गयी और इस अनुशासनात्मक कार्यवाही में प्रार्थी को पूर्ण रूप से निर्दोष घोषित किया गया, तब तक प्रार्थी से कनिष्ठ कर्मचारी भीमबहादुर सिंह को चार्जमेन के वेतनमान का लाभ दि. 15-9-83 से मिलता रहा जबकि इस लाभ से श्रमिक को वंचित रखा गया। श्रमिक ने अपनी प्रतिपरीक्षा में स्वीकार कर कहा है कि भीमबहादुर सिंह उससे बरीयता में कनिष्ठ था और उसकी पदावनति के साथ-साथ भीमबहादुर सिंह की भी पदावनति कर दी गयी थी। फिर श्रमिक ने यह भी कहा है कि उसके विरुद्ध जांच के लम्बित रहने हुए उससे कनिष्ठ व्यक्ति को पदोन्नति दे दी गयी। प्रतिपक्षी

की ओर से अपने जवाब में तह कथन किया गया था कि श्रमिक की पदावधि उसके विरुद्ध अनुशासनात्मक केस के लम्बित होने के आधार पर नहीं की गयी थी वरन् एक अन्य व्यक्ति तेजसिंह को श्रमिक के स्थान पर चार्जमैन-बी बनाये जाने के कारण श्रमिक पाण्डे की पदावधि को गयी थी। किन्तु पाण्डे ने अपने शपथ-पत्र में कहा है कि उसकी पदावधि उसके विरुद्ध चार्जशीट देने के आधार पर ही रोकी गयी और उसमें कनिष्ठ व्यक्ति को चार्जमैन-बी का पद दिलाया जाकर समस्त लाभ दिलाये जाते रहे और अन्त में उसके विरुद्ध जो आरोप-पत्र दिया गया था उसे समाप्त कर उसके विरुद्ध की जाने वाली कथित कार्यवाही को आगे नहीं किया गया। इस साक्ष्य के विरुद्ध प्रतिपक्षी की ओर से कोई साक्ष्य प्रस्तुत नहीं की गयी है। प्रार्थी श्रमिक की ओर से जो आदेश प्रस्तुत की किये हैं वे प्रतिपक्षी के ही आदेश हैं। प्रतिपक्षी ने अपने जवाब में स्वीकार किया है कि रामयज्ञ पाण्डे को तदर्थ आधार पर 3-12-82 से चार्जमैन-बी के वेतनमान 425-700 में पदोन्नति दी गयी थी। यह आदेश परिशिष्ट-1 है। इसके साथ ही प्रार्थी की ओर से परिशिष्ट-4 प्रस्तुत किया गया है जिसमें स्पष्ट वर्णन है कि "रामयज्ञ पाण्डे तदर्थ चार्जमैन से कनिष्ठ भीम-बहादुर सिंह को चार्जमैन-बी के पद के वेतनमान 425-700 में शोष फलोर पर पदोन्नत किया गया है जो 15-9-83 से प्रभावी है, अतः रामयज्ञ पाण्डे को केन्द्र पद पर चार्जमैन वेतनमान 425-700 में दिनांक 15-9-83 से तदर्थ प्रफोर्मा पदोन्नत किया हुआ माना जाता है और इसे वेतन वृद्धि आदि के लिए 15-9-83 से पूर्वान्ह से लाभ मिलता रहेगा"। अपने शपथ-पत्र में श्रमिक ने कहा है कि उसकी पदावधि केवल इस आधार पर की गयी थी कि उसके विरुद्ध एक आरोप-पत्र दिया गया था और बाद में प्रतिपक्षी द्वारा उसे वापस ले लिया गया और उस आरोप-पत्र पर कोई कार्यवाही नहीं की गयी। स्वयं प्रतिपक्षी ने भी अपने जवाब में माना है कि श्रमिक को जो आरोप-पत्र दिया गया था वह बिना किसी कार्यवाही के वापस ले लिया गया था। इस साक्ष्य का प्रतिपक्षी को ओर से कोई खण्डन नहीं किया गया इसलिए इन परिस्थितियों में यही सम्भावना प्रतीत होती है कि श्रमिक को जो आरोप-पत्र दिया गया था उसी के आधार पर उसकी पदावधि 10-5-85 में की गयी। क्योंकि श्रमिक के विरुद्ध कोई जांच तक नहीं की गयी इसलिए इन परिस्थितियों में पदावधि का यह आदेश वैध और उचित कहा जा सकता है और फलस्वरूप श्रमिक समस्त लाभ प्राप्त करने का अधिकारी होगा जैसे कि उसे 10-5-85 में पदावधि नहीं किया गया।

6. उपरोक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश को इस प्रकार उन्तरित किया जाता है कि चीफ बक्स मैनेजर, बेगन रिपेयर गोप, बेस्टन रेलवे, कोटा द्वारा श्रमिक रामयज्ञ पाण्डे को चार्जमैन पद से दि. 10-5-85 में पदावधि किया जाना उचित एवं वैध नहीं है, फलस्वरूप श्रमिक के समस्त लाभ 1311 GI/94—11.

प्राप्त करने का अधिकारी है जैसे कि उसे 10-5-85 में पदावधि ही नहीं किया गया।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय, नई दिल्ली को नियमानुसार प्रकाशनार्थ भिजवाया जाये।

ज.दीण नागयण शर्मा, न्यायाधीश

नई दिल्ली, 13 मई, 1994

का. आ. 1340.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल इंस्टीट्यूट फॉर ट्रेनिंग इन इन्डस्ट्रियल इंजीनियरिंग के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 बम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-5-94 को प्राप्त हुआ था।

[संख्या एल 42011/25/91 आईआर (डी यू)(पी.टी.)]
के. वा. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13th May, 1994

S.O. 1340.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Institute for Training in Industrial Engineering, Bombay and their workmen, which was received by the Central Government on 12-5-94.

[No. L-42011/25/91-IR(DU)(Pt.)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY
PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.
REFERENCE NO. CGIT-1 OF 1992

PARTIES :

Employers in relation to the management of
National Institute for Training in Industrial
Engineering, Bombay.

AND

Their workmen.

APPEARANCES :

For the Management—Shri Nathani, Advocate.
For the Workman.—Shri Wagh, Advocate.

INDUSTRY : Engineering STATE : Maharashtra
Bombay, dated the 5th day of April, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi, by letter dated 18th December, 1991, made the following reference to this Tribunal for adjudication under Section 10(1)(d), read with Section 2A of the Industrial Disputes Act, 1947.

"Whether the action of the management of NITIE in not considering Mr. B. P. Jagtap and Mr. K. N. Naik for the post of Key Punch Operator with effect from 26th February, 1988 is justified? If not, what relief the workman concerned are entitled to?"

2. The Union has filed the statement of claim through the General Secretary. It is the case of the Union that, sometime on 4-11-1987, by an advertisement, applications were invited for the post of Key Punch Operators. In response to the advertisement, 4 employees of the NITIE had applied, who were also eligible for the said post. They were :

1. Smt. Lalitha B. Puthran, B.A.
2. Shri K. N. Naik, S.S.C.
3. Shri Y. K. Maske, Non S.S.C.
4. Shri B. P. Jagtap, S.S.C.

Shri Maske was selected, though he did not have the prescribed qualifications namely S.S.C., and that he was working as a class IV employee at the relevant time. The grievance of the Union therefore, is, that, the appointment of Shri Maske to the post of Key Punch Operator amounted to giving him double promotion, whereas Shri Naik, who was a matriculate working as a Lower Division Clerk, was denied the immediate promotional post of Key Punch Operator equivalent to the category of Upper Division Clerk.

3. It is further stated that, the number of posts to be filled in was not mentioned in the advertisement. They however, recruited 4 persons for 4 vacancies. Smt. Puthran was promoted to the post of Key Punch Operator, and the other one was Mr. Maske. Two other candidates were also recruited directly from the Open Market.

4. It is further stated, that, Shri Jagtap coming from the class IV category, fulfills the requisite qualifications namely matriculation.

5. Prayer was made that the management of NITIE should be directed to give first preference to Mr. K. N. Naik and thereafter, to Mr. Jagtap, for they possess the requisite qualifications as advertised.

6. Written statement has been filed and rejoinder thereto has also been submitted.

7. Shri Wagh appearing on behalf of the Union submitted that the advertisement, based on which the applications were made by the aggrieved employees, the qualification has been mentioned as matriculation, and no differentiation has been made between the departmental employees and other applicants, and

it mentioned, that the candidate must be able to handle any type of data entry, both numerical and alphabetical, some experience in the line preferred. It was also mentioned that the upper age limit was relaxable upto 5 years in the case of SC/ST candidates.

8. He further submitted that, the management has not disclosed the fact, that Shri Maske was not a matriculate, and that he was not possessing the necessary qualification, as mentioned in the advertisement. As item No. 18 of the Annexure-I i.e. the norms of recruitment/promotion of the NITIE employees the qualification required for the post of Key Punch Operators are specified, and the advertisement issued by the management also mentioned the same.

9. The management's justification for appointment of Shri Maske to the post of Key Punch Operator is in para 3 and 4 of the rejoinder, and the reasons for not selecting S/Shri Naik and Jagtap are to be seen in para 5 of the said rejoinder.

10. It is the contention of the management, that Shri Maske, though a non-matriculate, had the necessary experience, being a SC candidate, and having put in more than 15 years of service in the organisation, he deserved the promotion to the post of Key Punch Operator.

11. It is further stated that one of the posts was reserved for SC/ST candidate. So far as the two aggrieved candidates namely, Shri Jagtap, and Shri Naik are concerned it is denied that they were eligible for the post of Key Punch Operators, though they had the necessary qualifications, because they failed in the tests conducted for that purpose. They would have been considered if they had passed in the tests, a fact which has been admitted.

12. The short point that arises for my consideration and which has been posed for adjudication under the present reference is whether the action of the management of NITIE, in not considering Mr. Jagtap and Mr. Naik for the post of Key Punch Operator is justified.

13. It is to be noted that though, Shri Naik, and Jagtap were eligible for the post of K.P.O., and had applied for the said post, they had admittedly failed in the tests held for the very purpose of selection by the management. From amongst the applicants, 8 of them were selected on the basis of their performance in the tests, and one of them was Shri Maske. In the circumstances, it will be difficult to accept the grievance of Shri Naik and Shri Jagtap.

14. It is further stated by the union that the norms of recruitment/promotion also do not speak of any relaxation in the qualification prescribed for the post of Key Punch Operators. It has been specified that the candidate must be a matriculate. It is nowhere mentioned that it is relaxable at the discretion of the management and it is therefore submitted on behalf of the union that the justification given by the management should not be considered. It is however, admitted that Shri Maske belonged to the Scheduled Caste.

15. The other limb of the argument advanced on behalf of the union is, that, in any case, if the post was reserved for the SC candidate, and the qualification was relaxable on the basis of his performance in the tests held by the management, it should have been mentioned in the advertisement, in which case, more candidates would have applied for the post. The submission therefore, is that the management was depriving the opportunities to some of the other candidates.

16. It was further contended on behalf of the union, that Smt. Lalita B. Puthran, though eligible and was selected by the management on the basis of her performance in the test, was given the promotion only after she made a representation in the matter, whereas, Shri Maske and two others by name Shivaprasad, and Mr. Radhakrishnan were appointed with effect from 26-2-1988. I am unable to deal with this aspect of the argument, in view of the dispute that has been referred to me for adjudication, which reads thus :

"Whether the action of the management of NITIE in not considering Mr. B. P. Jagtap and Mr. K. N. Naik for the post of Key Punch Operator w.e.f. 26-2-1988 is justified? If not, to what relief are the concerned workmen entitled?"

17. The dispute that has been referred to this Tribunal for adjudication is with regard to the grievance of Mr. Naik and Mr. Jagtap, about non consideration of their case for appointment to the post of Key Punch Operator, and not with regard to the delay in appointment of Smt. Puthran.

18. On behalf of the union, a decision in the case of the District Collector and Chairman, Vijjanagaram (School Welfare Residential School Society) and another Vs. M. Tripura Sundari Devi, reported in 1990 LLJ (II), at page 153 has been referred to and relied upon. It has been held therein that, appointment of persons with inferior qualification than those prescribed in the advertisement amounted to fraud on public, when the right for relaxation of the qualification are reserved by the authorities in the advertisement itself, for persons with similar or better qualifications are aggrieved by this action.

19. I say, with respect, that this case (supra) has no application on the present reference in my hand, since the aggrieved persons, in this reference, namely Mr. Naik and Mr. Jagtap had not passed the tests held by the management. However, it is to be noted that, it did amount to fraud on public to the extent that it deprived the opportunity to other candidates with similar or better qualifications.

20. Mr. Wagh also submitted before me a copy of a letter addressed to the Asst. Labour Commissioner by the union, on 6-9-1990, as a result of which the dispute came to be referred to this Tribunal for adjudication, to show that, the grievance made is with regard to the appointment of Shri Maske, alongwith three others and that too, in contravention of the qualifications prescribed, and the grievance made therein was about the appointment made by the management.

1311 GI/94—12.

21. However, I am afraid, in view of the frame of the present dispute referred for adjudication, I am unable to go beyond the reference.

22. M/s. Jagtap and Naik are not entitled to any relief. Award accordingly, with no order as to costs.

R. G. SINDHAKAR, Presiding Officer.

नई दिल्ली, 18 मई, 1994

का. आ. 1341.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट आफ पोस्ट आफिस, कोटा के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-94 को प्राप्त हुआ था।

[संख्या एल-40012/81/89—डी-2बी(पीटी)]

के. बी. वी. उन्नी, डेस्क अधिकारी

New Delhi, the 18th May, 1994

S.O. 1341.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post Office, Kota and their workmen, which was received by the Central Government on 17-5-94.

[No. L-40012/81/89-D.II.(B)(Pt.)]

K. V. B. UNNY, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा/राज./
निर्देश प्रकाशन क्रमांक औ. न्याय (केन्द्रीय) 17/1990

दिनांक स्थापित: 22/10/90

प्रसंग: भारत सरकार थ्रम मंत्रालय, नई दिल्ली के
आदेश संख्या एल—40012/81/89 डी 2 (बी) दिनांक
6/7/90

औद्योगिक विवाद अधिनियम, 1947

मध्य

रमेशचन्द्र मेहता पुत्र श्री बाबूलाल मेहता गांव
रामपुर बाया शाहबाद

—प्रार्थी श्रमिक

एव

1. सीनियर सुपरिन्टेन्डेंट आफ पोस्ट ऑफिस, कोटा
अंतर्गत

2. इन्स्पेक्टर, पोस्ट आफिस, वारन जिला कोटा

—प्रतिपक्षीय

उपस्थित

श्री जगदीश नारायण शर्मा,
आर. एच. जे. एम.

प्रार्थी श्रमिक की ओर से प्रतिनिधि: श्री पुरुषोत्तम दाधीय
प्रतिपक्षी नियोजक की ओर से प्रतिनिधि:—श्री. सी. बी
सोरल

अधिनिर्णय दिनांक: 28 अप्रैल, 1994

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न
निर्देश औद्योगिक विवाद अधिनियम, 1947 की धारा
10(1)(घ) एवं उपधारा (2-क) के अन्तर्गत इस न्याया-
धिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है:—

“Whether the action of Inspector, Post Offices,
Baran/Sr. Supdt. of Post Offices, Kota in
terminating the services of Shri Ramesh
Chand Mehta S/o Sh. Babulal Mehta
w.e.f. 7-4-89 is justified? If not, what re-
lief the workman is entitled to?”

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर
किया गया व पक्षकारों को सूचना जारी की गयी तदुपरान्त दोनों
पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये गये।

3. आज दोनों पक्षों के विद्वान प्रतिनिधिगण उप-
स्थित हुए। वहम मुनी गयी व पत्रावली का अवलोकन
किया गया। पत्रावली के अवलोकन से यह स्पष्ट प्रकट
होता है कि श्रमिक पक्ष को पर्याप्त समय साध्य प्रस्तुत
करने हेतु दिये जाने उपरान्त अपने क्लेम समर्थन में कोई
साध्य प्रस्तुत नहीं की गयी है जिससे कि उसके कथन
की पुष्टि हो सके। अतः साध्य के अभाव में श्रमिक
कोई राहत प्राप्त करने का अधिकारी नहीं पाया जाता
और भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा
सम्प्रेषित निर्देश की इसी प्रकार उत्तरित किया जाता
है।

इस अधिनिर्णय को समुचित सरकार को नियमानुसार
प्रकाशनार्थ भिजवाया जावे।

जगदीश नारायण शर्मा, न्यायाधीश

आदेश

नई दिल्ली, 17 मई, 1994

का. आ. 1342.—जबकि दिनांक 24 अगस्त, 1966
की अधिसूचना संख्या 2653 के तहत श्रम एवं रोजगार
विभाग में भारत सरकार की अधिसूचना द्वारा गठित
औद्योगिक अधिकरण, कलकत्ता में पीठासीन अधिकारी
का एक पद रिक्त हुआ है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) के खंड-8 के प्रावधानों के अनुसरण के
केन्द्रीय सरकार, एतद्वारा श्री के. सी. जगदेव राय
को 29 अप्रैल, 1994 के पूर्वाह्न में उक्त औद्योगिक
अधिकरण के पीठासीन अधिकारी के रूप में नियुक्त
करती है।

[फा. सं. ए-11016/3/93-सी एल एस-II]

गोपाल सिंह, अवर सचिव

New Delhi, the 17th May, 1994

ORDER

S.O. 1342.—Whereas a vacancy has occurred in the
office of the Presiding Officer of the Industrial Tri-
bunal, Calcutta constituted by the Notification of the
Government of India in the Department of Labour
and Employment Notification No. 2653 dated the
24th August, 1966. Now therefore in pursuance of the
provisions of Section 8 of the Industrial Disputes Act,
1947 (14 of 1947) the Central Government hereby
appoints Sri K. C. Jagadeb Roy, as the Presiding
Officer of the said Industrial Tribunal with effect
from the forenoon of 29th April, 1994.

[File No. A-11016/3/93-CLS-II]

GOPAL SINGH, Under Secy.

आदेश

नई दिल्ली, 17 मई, 1994

का. आ. 1343.—जबकि दिनांक 24 अगस्त, 1966
की अधिसूचना संख्या का. आ. 2652 के तहत श्रम एवं
रोजगार विभाग में भारत सरकार की अधिसूचना द्वारा गठित
श्रम न्यायालय, कलकत्ता में पीठासीन अधिकारी का एक पद
रिक्त हुआ है।

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) के खंड-8 के प्रावधानों के अनुसरण में केन्द्र सरकार
एतद्वारा श्री के.सी. जगदेव राय को 29 अप्रैल, 1994
के पूर्वाह्न में उक्त श्रम न्यायालय के पीठासीन अधिकारी
के रूप में नियुक्त करती है।

[फा. सं. ए-11016/3/93-सी एल एस-II]

गोपाल सिंह, अवर सचिव

ORDER

New Delhi, the 17th May, 1994

S.O. 1343.—Whereas a vacancy has occurred in the
office of the Presiding Officer of the Labour Court,
Calcutta constituted by the Notification of the Gov-
ernment of India in the then Department of Labour
and Employment Notification No. S.O. 2652 dated
the 24th August, 1966;

Now therefore, in pursuance of the provisions of Section 8 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby appoints Shri K. C. Jagadeb Roy as the Presiding Officer of the said Labour Court with effect from the forenoon of 29th April, 1994.

[No. A-11016|3|93-CLS-II]
GOPAL SINGH, Under Secy.

आदेश

नई दिल्ली, 17 मई, 1994

का.आ. 1344.—जबकि भारत सरकार के श्रम और रोजगार विभाग की दिनांक 28 मई, 1968 की अधिसूचना संख्या का. आ. 1970 के अधीन गठित श्रम न्यायालय संख्या-2 बम्बई के पीठासीन अधिकारी का पद रिक्त हुआ है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबंधों के अनुसरण में, केन्द्रीय सरकार एतद्द्वारा श्री एम. बी. पन्से को 28 अप्रैल, 1994 (पूर्वाह्न) से उक्त श्रम न्यायालय संख्या 2 का पीठासीन अधिकारी नियुक्त करती है।

[संख्या ए-11016/2/93 सी एल एस-II]

गोपाल सिंह, अवर सचिव

ORDER

New Delhi, the 17th May, 1994

S.O. 1344.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court No. 2, Bombay constituted by the Notification of the Government of India in the then Department of Labour and Employment No. S.O. 1970 dated the 28th May, 1968;

Now therefore, in pursuance of the provisions of Section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri S. B. Panse, as the Presiding Officer of the said Labour Court No. 2, with effect from the forenoon of 28th May, 1968;

[File No. A-11016|2|93-CLS-II]

GOPAL SINGH, Under Secy.

आदेश

नई दिल्ली, 17 मई, 1994

का. आ. 1345.—जबकि भारत सरकार के श्रम और रोजगार विभाग की दिनांक 28 मई, 1968 की अधिसूचना संख्या 1971 के अधीन गठित औद्योगिक अधिकरण संख्या 2 बम्बई के पीठासीन अधिकारी का पद रिक्त हुआ है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री एम. बी. पन्से को 28 अप्रैल

1994 (पूर्वाह्न) से उक्त औद्योगिक अधिकरण संख्या 2 का पीठासीन अधिकारी नियुक्त करती है।

[संख्या ए-11016/2/93 सी एल एस-II]

गोपाल सिंह, अवर सचिव

ORDER

New Delhi, the 17th May, 1994

S.O. 1345.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Industrial Tribunal No. 2, Bombay constituted by the Notification of the Government of India in the Department of Labour and Employment No. S.O. 1971 dated the 28th May, 1968;

Now therefore in pursuance of the provisions of Section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri S. B. Panse, as the Presiding Officer of the said Industrial Tribunal No. 2, with effect from the forenoon of 28th April, 1994.

[File No. A-11016|2|93-CLS-II]

GOPAL SINGH, Under Secy.

नई दिल्ली, 19 मई, 1994

का.आ. 1346.—कर्मचारी भविष्य निधि योजना, 1952 के पैराग्राफ 52 के उप पैराग्राफ (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के श्रम मंत्रालय को दिनांक 18 मार्च, 1993 की अधिसूचना का. आ. संख्या 733 का अधिकरण करते हुए, केन्द्रीय सरकार निर्देश देती है कि निधि से संबंधित सभी अवशेषों को निम्नलिखित पद्धति के अनुसार निवेश किया जाएगा अर्थात्—

निवेश पद्धति

- (1) (क) किसी राज्य सरकार द्वारा तैयार और जारी की गई सरकारी प्रतिभूतियाँ जैसे कि लोक श्रृण अधिनियम, 1944 (1944 का 18) की धारा 2 में परिभाषित किया गया है;

तथा/अथवा

- (ख) ऐसी अन्य परक्राम्य प्रतिभूतियाँ जिनकी मूल राशि तथा उसके व्याज को केन्द्रीय सरकार अथवा किसी राज्य सरकार द्वारा पूरा तरह से बिना शर्त गारंटी प्रदान की जाती है, उनसे निम्नलिखित (iii) (क) के अन्तर्गत आने वाली प्रतिभूतियाँ शामिल नहीं हैं।

} निवेश किए जाने वाली

राशि का प्रतिनिर्नाक पन्द्रह प्रतिशत

- (ii) भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग की अधिसूचना संख्या एफ 16(1)—पी डी 75 दिनांक 30 जून, 1975 के अन्तर्गत जारी की गई विशेष जमा राशि स्कीम जिसे अधिसूचना संख्या एफ 16(8)—पी डी 85 दिनांक 12 जून, 1985 द्वारा विस्तारित किया गया था } पञ्चपन प्रतिशत

- (iii) (क) कंपनी अधिनियम की धारा 4(क) में निम्नलिखित "लोक वित्तीय संस्थाओं" के बाण्ड/प्रतिभूतियाँ ; आयकर अधिनियम, 1961 की धारा 2 (36 क) में परिभाषित "सरकारी क्षेत्र की कंपनियों" तथा/अथवा
(ख) सरकारी क्षेत्र के बैंकों द्वारा जारी अमाराणियों के } तीस प्रतिशत प्रमाण

2. उपरिलिखित पैरा 1 के (i) और (iii) के अन्तर्गत पूर्ववर्ती निवेशों की परिपक्वता पर प्राप्त होने वाली धनराशियों में से आवश्यक व्यय को घटा कर शेष राशि का इस अधिसूचना में निर्दिष्ट नई निवेश पद्धति के अनुसार निवेश किया जाएगा।

3. केन्द्रीय सरकार द्वारा जारी की गई प्रतिभूतियों पर मिलने वाले ब्याज तथा विशेष जमाराशियों पर मिलने वाले ब्याज से संबंधित धनराशि का विशेष जमा राशि स्कीम के अन्तर्गत निवेश किया जा सकता है। इसी प्रकार उपरिलिखित पैरा 1 की श्रेणी (i) और (iii) के अन्तर्गत प्राप्त ब्याज की धनराशि का उसी श्रेणी में फिर से निवेश किया जा सकता है।

4. उपरिलिखित पैराग्राफ में परिकल्पित निवेश पद्धति का एक वित्तीय वर्ष की समाप्ति तक पूरा कर लिया जाएगा।

[संख्या जी-20015/2/93—एस एस-II]

जे.पी. शुक्ला, अवर सचिव

New Delhi, 19th May, 1994

S.O. 1346.—In exercise of the powers conferred by Sub-paragraph (1) of Paragraph 52 of the Employees' Provident Funds Scheme, 1952 and in supersession of the notification of the Government of India in the Ministry of Labour No. S.O. 733 dated the 18th March, 1993, the Central Government hereby directs that all moneys belonging to the Fund shall be invested in accordance with the following pattern namely :—

Investment Pattern	Percentage of Amount to be invested
(i) (a) Government Securities as defined in Section 2 of the Public Debt Act, 1944 (18 of 1944) created and issued 'by any State Government: and/or (b) Any other negotiable securities the principal whereof and interest whereon is fully and unconditionally guaranteed by the Central Government or any State Government except those covered under (iii) (a) below.	Fifteen percent.
(ii) Special Deposit scheme introduced by the Notification of Government of India in the Ministry of Finance, Department of Economic Affairs No. F. 16(1-PD/75 dated 30th June, 1975, as extended by Notification No. (F).16(8)-PD/85 dated 12th June, 1985.	Fifty five percent.
(iii) (a) Bonds/Securities of 'public financial institutions' as specified under Section 4(a) of the Company's Act; "public sector companies" as defined in Section 2(36 A) of the Income Tax Act, 1961; and/or (b) Certificates of deposits issued by a public sector bank	Thirty percent.

2. Where any moneys are received on the maturity of earlier investment under (i) and (iii) of para 1 above such moneys, reduced by obligatory outgoings, shall be invested in accordance with the new investment pattern prescribed in this Notification.

3. Where moneys are received by way of interest on securities issued by Central Government and interest on Special Deposits, such moneys can be invested under the Special Deposit Scheme. Similarly, interest received under categories (i) and (iii) of para 1 above may be reinvested in the same category.

4. The investment pattern as envisaged in the above paragraphs may be achieved by the end of a financial year, and is effective from 1st April, 1994.

[No. G-20015/2/93-SS-II]
J.P. SHUKLA, Under Secy.